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C O N T E N T S

OF

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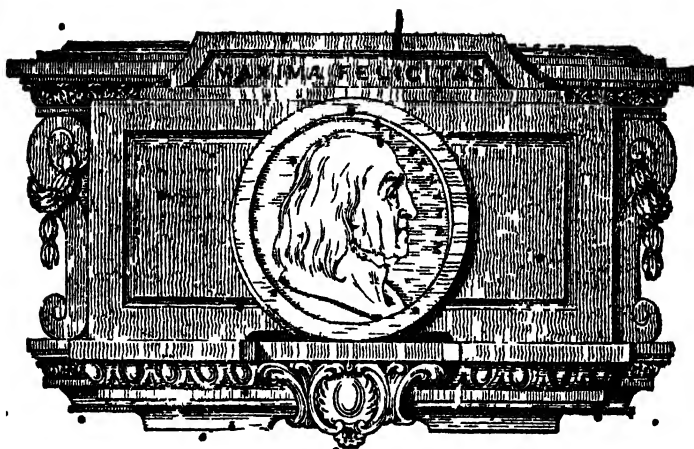
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THE
WESTMINSTER REVIEW.

No. XLVII

FOR JANUARY 1, 1836.



ART 1.—1 *Tables of the Revenue Population, Commerce, &c., of the United Kingdom and its Dependencies Supplement to Part III, Colonies 1832* Compiled from Official Returns. Presented to both Houses of Parliament, by Command of His Majesty 1835.

2 *Colonial Expenditure Statement of the Expenditure by Great Britain, on account of the several Colonies, for the year 1833-34* Ordered, by the House of Commons, to be Printed, 21st July, 1835.

3 *Colonial Revenue General Abstract of the Revenues and other Receipts of the Local Governments of the several British Colonies, in the year 1833,—also, General Abstract of Expenditure incurred by the Local Governments of the British Colonies, from Colonial Resources, in the year 1833* Ordered, by the House of Commons, to be Printed, 2nd September, 1835.

THE public will know something of the Colonies at last. The Official Documents placed at the head of this article,—and the compilation of which, the public owes to the untiring
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assiduity of Mr. Hume,—contain, though far indeed from complete, more detailed and ample information on the subject of the Colonies than has ever before been submitted to the public. Britain possesses Colonies in every part of the world, in Africa, in Asia, in Australia, in North America, in the West Indies, and what pass under that name, even in Europe. Their importance, uses, and abuses, will here be examined in some detail; and for this purpose, it will be convenient to divide them into groups, as they are distinguished by their geographical situation, the character of their population, and the nature of their productions. It is a matter of indifference where the examination is commenced. Let it be with the Tropical Colonies, whose productions have a monopoly of the English market. This group will comprise the whole of the West-India Islands, with British Guiana, and the Island of Mauritius; which last in no material respect differs from the Colonies of the Western hemisphere, being within similar latitudes, having a population of the same character, and yielding the same products, which are favoured by the same fiscal regulations. Of these there are no less than twenty distinct Colonies, every one an island, save the two situated in Guiana. The total population of these Colonies, the great majority of which everywhere consists of the African race, is computed at between eight and nine hundred thousand, (861,564). In the Official Papers, the Local Revenue is stated most inaccurately, there being no Return for no less than ten of the Colonies with Representative Governments. Supposing the Revenue of these, however, to be the same in proportion to population as that of the Colonies of which the Revenue Returns are given, there will be a total Revenue, including that of the Crown Colonies, of between six and seven hundred thousand pounds per annum, (666,330*l.*). The expenditure from Local Resources, may be taken here, as throughout the Colonies, to be the same as the revenue; that is to say, whatever is got is spent, and when that is done, the British Exchequer is had recourse to. The total Civil, Military, and Naval Expenditure by the mother country on account of this particular group of Colonies, is according to the Official Returns 871,985*l.* This is, however, greatly underrating the expenditures, as will be afterwards pointed out. The taxes levied upon the people of this group of Colonies, and the money expended by Great Britain for their maintenance, even according to the Official showing, will exceed a million and a half, (1,538,315*l.*). Thus, then, the government of every man, woman, and child, costs themselves or us 1*l.* 15*s.* 8*d.* The government of the people of the United Kingdom, in 1831, cost only 1*l.* 18*s.* 3*d.*; and at the present moment,

population having increased and taxation diminished, the real cost of our government will be found to be smaller than that of the rude and unequal government which prevails in the Sugar Colonies; not to mention that more than half the taxes of the mother country are raised to pay the interest of an old debt, contracted through the wickedness or folly of those who have gone before us. But the nominal amount paid by the mother country for the government of the Sugar Colonies, everybody is aware, forms only a small share of what really comes out of the pockets of the people on their account. There is hardly one commodity with which they furnish us, for which we do not pay a monopoly price, that is to say, a needless and uncompensated price, for the benefit of somebody who is kind enough to take it from us. A tolerable estimate may be framed of what we pay in this manner. Our annual consumption of sugar may be taken, in round numbers, at 3,600,000 cwt.; and the discriminating duty between East and West-India sugars is eight shillings per cwt.; notwithstanding which, a considerable quantity of the first is used for home consumption. Were the discriminating duties upon East-India and Foreign sugars reduced to five shillings per cwt., it is probable that the two last would be chiefly consumed, and that with the reduction of price, the consumption, as always happens in such cases, would rise, say only to four millions annually. If this be an approximation to the truth,—and most persons will consider it a very moderate estimate indeed,—then, in so far as regards the price of sugar, the monopoly charge we are paying, amounts to an annual tax of a round million sterling.

The consumption of Rum in this country, is about three millions and a half of gallons yearly; and the duty which it pays is nine shillings per gallon; which is in fact, scarcely so much as the duty paid on British spirits, after adding to the latter the malt-tax. It is this favour alone which seems to preserve rum as an article of consumption to any extent in this country. Were the duty raised to the level of that on Geneva, brandy, or other foreign spirits, the expulsion from the market of rum, as an article of consumption, would probably be the result. Let the monopoly price, in this case, be estimated as that on sugar has been, namely at something like one fifth part of the intrinsic value of the commodity, or sevenpence per gallon, and the result will be a tax exceeding 100,000*l.* per annum.

The quantity of Coffee annually consumed at present in the United Kingdom, is about twenty-three millions of pounds weight; and by far the greater part of it is the produce of the

West Indies. The duty upon British Colonial coffee is 56s. per cwt.; upon East-India coffee, except upon the trifling quantity which is the produce of the territories of the East-India Company, is 84s.; and upon all foreign coffee besides, 140s. The last-named duty is prohibitory; but the duty of 50 per cent more paid by East-India than by West-India coffee, does not hinder the former from being consumed to the extent of about one twelfth-part of the whole consumption. The monopoly price may probably then very fairly be reckoned at three-pence per pound; and this will be a tax upon the people of England, equivalent to 286,250*l*.

Besides the three great articles now enumerated, there are several others of considerable importance, which are forced into the consumption of this country by the duties levied upon the corresponding articles of foreign produce. There are molasses, cocoa, pimento, ginger, mahogany, and dye-woods. It is hardly worth while to state the detail, respecting these minor commodities; but if the monopoly charge upon the whole of them be taken at a sum little exceeding a hundred thousand pounds, it will raise the total cost of the monopoly of Colonial products to the nation, to a round sum of a million and a half sterling per annum. This is all so much subscribed, to keep merchants and traders, of various kinds, who have interest enough in Parliament to appropriate it to themselves. And the fallacy they support themselves by, consists in pointing to the trade they carry on, as if it was honest industry and so much gain to the community; whereas the fact is, that it is like pointing to the pocket-handkerchiefs in the windows of the receivers of stolen goods in Field-Lane, as a national manufacture.

But the reader may desire some proofs of the existence of the monopolies thus alleged, independent of what is to be inferred from the existence of the protecting and discriminating duties so loudly insisted upon by the Colonial interests. Those proofs can readily be given. In those commodities where there is no protecting duty, the West Indies have either lost the English market altogether, or supply it very imperfectly; and where there is an approximation of the Foreign and Colonial duties, the monopoly is broken in upon. Cotton wool was, in the early period of our cotton manufacture, largely imported from the West Indies; that is, it was imported while the West Indies had a protecting duty. At present, with the same duty, a nominal one, as East-India cotton, the quantity imported is one twentieth of the latter; and does not much exceed one two-hundredth of the entire importation into the United

Kingdom, while the quantity is diminished to one fourth part of what it was, even only fifteen years back. The British West Indies once furnished a large proportion of our consumption of Indigo, but the duties having been long equalized upon the East and West-India, and the higher duty upon the foreign article being little more than nominal, the import from the West Indies has dropped down to less than one sixtieth part of the whole import and consumption of the country. The duty upon Colonial ginger is 11s. per cwt., but upon foreign ginger 53s. or near five times as much, but then the duty upon East-Indian ginger is not higher than upon Colonial, and the consequence is, that out of an importation of sixteen thousand cwt., ten thousand are from the East Indies, and only six thousand from the West, the consumption being in the same proportion. One other example may be given. The quantity of Pimento, a product peculiar to the West-India Islands, entered for home consumption, in 1833 was in round numbers three hundred and eighty thousand pounds, and for the last ten years has sustained no increase. The reason of this is, that a cheaper substitute exists for it, in the article of Black Pepper, of which the consumption, in the same period, has risen from about one million three hundred thousand pounds, to two million two hundred thousand pounds. The Pimento, or All-Spice, pays a duty of ten-pence per lb., which is about two-hundred per cent upon the value. The lowest duty upon Black Pepper, not intrinsically worth above 4d. per lb., is one shilling per lb., which is therefore a duty of three hundred per cent. But as a pound of the latter article may still be had by the consumer for nearly the same money as a pound of the former, and as in use it is more economical, its consumption has continued to advance rapidly, while that of its rival, oppressed by the monopoly, has continued stationary.

But to the monopoly-tax of a million and a half, is still to be added the interest of the twenty millions paid for the eventual liberty of the slaves. Exclusive of management, this may be reckoned equivalent to a perpetual annuity of 800 000*l.* per annum. Adding these sums to the Civil, Military, and Naval charges, as given in the Official Document, without attempting to estimate the amount of the notorious omissions of the latter, we shall have a total annual charge upon the British people, on account of the Sugar Colonies, of 3,171,985*l.*

These Colonies must have some peculiar and extraordinary source of value indeed, if they are valuable at all after it is proved that instead of being pecuniarily profitable, they impose so exorbitant an annual burthen. The case is like that of

compelling men to buy of the dear shop instead of the cheap shop opposite, and then telling them of the great importance to them of the dearer shop. The chief pretext for the cost to which we are put by them, is that they are a valuable market for British produce and manufactures; the fact that stares us in the face all the time, being that with our British produce and manufactures we could buy better and cheaper pepper &c. elsewhere. They consent to take more of our produce and manufactures for a pound of pepper, than other people would; this is the extent of our obligation. In 1815, the declared value of British and Irish products exported to the British West-Indies, was 7,218,057*l.* much of which, however, was re-exported to places now more cheaply and largely furnished through direct channels. There has been a regular falling-off in almost every year since the return of peace; and in 1833, the value of the exports was only 2,597,589*l.*; which, as the reader will perceive, is just above half a million less than the value of the annual outlay made by the British people in the way of absolute expenditure in maintaining these possessions. This is pretty much as if the yearly salaries of the ambassadors and consuls for maintaining our relations with some particular country, exceeded in actual amount the annual value of the consumption of such countries in British produce and manufactures*.

But the West-Indians assure us, that they confer a great advantage upon the nation by furnishing it with sugar, rum, coffee, and other Colonial articles,—because on these articles are levied seven millions of the public revenue, which the planters modestly and rationally insist it is they that pay, and not the consumers. These are among the extravagancies which the crazy and interested imaginations of monopolists have at all times advanced. The East-India Company took infinite pains to assure the nation, that if their exclusive trade to China were abolished, the nation would have no good tea and the treasury no revenue. They furnished the nation with thirty millions of pounds weight of tea, and the treasury with about three millions and a half pounds sterling, a revenue which had been stationary for twenty years. This was their strong case. In the very first effort of free trade, the quantity of tea imported was multiplied by near forty per cent, and the revenue which was only three millions and a half, will shortly be five. Were

* The exports to the Mauritius are not included in the statement in the text; because there exists no means of stating the amount in 1815. The exports of British produce and manufactures to this colony, however, in 1833, amounted in value only to 83,424*l.*

the monopoly of the West-Indians abolished, there is not the slightest question but similar results would follow. The quantity of sugar, coffee, and other products, would immediately increase; and the duties, which are levied upon the quantity, would rise in proportion; and in the very first year, in all probability, the seven millions would rise to ten. The assertion of the West-India Planters that they contribute seven millions a year to the revenue of the United Kingdom, is exactly of the same value as would be a joint claim which should be supposed to be made by the Emperor of China and the planters of Virginia and Kentucky, to a contribution to a similar amount to the British Exchequer, on the score of four millions of the British revenue being raised from the consumption of tea, and three from the consumption of tobacco, the products of their respective countries.

The next class of Colonies proposed to be examined is the North-American; and of our relations with these, some account was rendered in the last number of this Journal. These Colonies amount to six in number, viz. Lower and Upper Canada, New Brunswick, Nova Scotia with Cape Breton, Prince Edward's Island, and Newfoundland. Their united population may at present be estimated at about one million and a half; all free men, and all, or almost all, the descendants of Europeans. The local revenue of these different Colonies is about four hundred and eighty thousand pounds, (480,531*l.*). This is an estimate only; for, most unaccountably, there is no statement of it in the Official Return; and it is here, therefore, calculated as bearing the average proportion to population of the whole Colonial Revenue. The expenditure of Upper Canada is 425,562*l.*; namely, 383,104*l.*, for military charges, and the remainder for civil and naval. The total charge for the government of the North-American Colonies, whether from Colonial or Metropolitan funds, amounts to 906,093*l.*; which is at the rate of about 12*s.* per head; being more than twice the rate of expenditure per head for the government of the American Union. By a Parliamentary Paper it appears, that the actual revenue raised on the average of the three years 1828—30 on North-American timber, was only about two hundred and twenty thousand pounds, (223,552*l.*); whereas had the duties levied been the same as upon the timber of the North of Europe, the revenue ought to have been upwards of one million four hundred thousand pounds, (1,442,528*l.*). It is clear then, that in this case the revenue and the nation were subjected to an annual loss of upwards of one million two hundred thousand pounds, (1,218,976*l.*); which, estimating very moderately, may there-

fore be taken as the pecuniary cost of the monopoly burthen which the nation owes to the possession of the North-American Colonies. In this manner then the expenditure of the mother country on account of the North-American Colonies is increased above a million six hundred thousand pounds sterling, (1,644,538*l.*). To this again, however, ought to be added the amount of the annual votes of the British Parliament for improving the internal navigation of the Canadas, together with the interest of the million already expended in this hopeful project. That none of these items are taken into consideration in the public document, is evident enough, seeing that the whole civil expense of the two Canadas is given at a sum short of six thousand pounds, (5,893*l.*). In the last number of this Journal, the character of our commercial relations with the North-American Colonies was examined with considerable care, and therefore it is not necessary now to enter upon the subject in much detail. According to the Parliamentary Return, the total expenditure, civil, military, and naval, on account of these Colonies, in 1833 was 425,562*l.* In the same year, the declared value of British and Irish produce and manufactures exported to the whole of these Colonies, little exceeded two millions sterling, (2,092,550*l.*). This is about half a million less than our export of the same commodities to Brazil, (2,575,680*l.*), where we are at no other expense than maintaining two or three consuls at a few hundred pounds per annum. It is less by upwards of a quarter of a million than our trade with the countries which constituted the Spanish American Colonies, (2,266,716*l.*), and it is much less than one third of our export of British products to the United States, where our government and its merchants are put to less expense on account of their commercial relations, than in any country in the world. Thus, not only is the market for British produce better in our own emancipated Colonies, but in those of all other nations; a decided mercantile argument at least, in favour of Colonial independence.

In the year 1817, the real value of our export of British products to our North-American Colonies had been 1,515,317*l.*; so that, with the timber monopoly in full operation, for sixteen years, the population of the United Kingdom in the mean while having increased by perhaps little less than 25 per cent, and the population of the Colonies by at least double that amount, the Colonial market for British products had increased by not a great deal more than half a million sterling, (577,233*l.*), or some thirty per cent. On reference to actual circumstances, however, it is clear that it had not advanced at all, but virtually declined.

Meanwhile, by our patronage of the dear, inferior, and perishable timber of America, and our discontinuance of the good and cheap timber of the Northern countries of Europe, coupled with our exclusion of the corn of the same countries, we have lost a considerable portion of a valuable branch of commerce, provoked the commercial rivalry of the nations of the North of Europe, and set them upon measures of retaliation, equally pernicious to us and to themselves. We have not only been stupid enough to pay the high price instead of the cheap one to every person who had influence enough in the House of Commons to obtain a portion of our plunder, but we have incurred the evil of all that other traders could conveniently do against us in revenge. Our councils, in fact, have been so many *Committees of Public Damage*; and there is no immediate appearance of the system being at an end. It may here be repeated, that the declared value of the British produce and manufactures exported to Russia, Denmark, Prussia, Sweden, and Norway, in 1817, amounted to very nearly four millions (3,905,730/.); while in 1833, it had dropped down to a sum less than one half of that amount, (1,889,709/.). In this manner, it is quite obvious, that we have lost on one hand near four times as much as we appear to have gained on another, leaving the actual extent of our market for British produce and manufactures, in so far as our relations with the timber and corn-growing countries are concerned, less than it was sixteen years ago by more than a million and a half per annum.

Among the nations of the North of Europe, the principal sufferer by our commercial restrictions on raw produce is Prussia; and it has placed itself at the head of a league, said already to comprehend a population of five-and-twenty millions. One of the chief objects of this league is the encouragement of national, and the discouragement of foreign, but chiefly of British manufactures, as a retaliation for our exclusion of timber and corn. The league, except as an instrument to obtain the cessation of a common evil, is of the nature of a man's cutting off his nose to be revenged on his face. But it may end in good, if it rouses the honest and industrious classes in Great Britain, to reflect upon the machinery of dishonesty and general plunder by which their commercial government has been carried on. So truly does Ebenezer Elliott lift up his voice to the Mechanics Institutions, and cry 'Learn, that you may not be cheated.'

Russia is no less active in her hostility to our system, and in her endeavour to force native manufactures into existence. Our manufacturers are dull enough and patient enough, to see

enormous premiums offered at their expense, to any foreigner who will establish a manufactory in opposition to the British. The total number of manufactories throughout the Russian Empire in the year 1812 was 2327; and in 1824 they had risen to 5286. In 1820, the value of woollen, cotton, and silk manufactures imported into the Russian empire was 2,544,281*l.*; and in 1824, much less than one half of that amount, (1,158,573*l.*). The difference was made up by the increase of native manufactures, the value of which, in the last named year, exceeded five millions sterling, (5,146,099*l.*). In 1822, the quantity of cotton twist or yarn imported into Russia was valued at no more than 640,564*l.*; and in four years time, or in 1826, it rose to near a million and a half sterling, (1,449,023*l.*); the increase of the manufacture of cotton fabrics necessarily keeping pace with the increase in the import of the half-raw material. These statements require no comment.

A word on Timber, as a subject for taxation. Timber is not only a necessary of life, but, directly or indirectly, the raw material of every manufacture. In a country thickly peopled like ours, where the land is of high value, and considering that no good timber can on an average be grown under a century, it is a most inordinate folly to make a necessary of life and the raw material of manufacture, the object of an oppressive monopoly, and impolitic to make it a subject of taxation at all. The monopoly, as already stated, has been estimated to cost above one million two hundred thousand pounds sterling per annum, and the gross duties upon timber and hard woods exceed this amount, so that, altogether, the people pay some two millions and a half per annum, for a commodity which is intrinsically worth little more than half a million; the remainder being taken from them for the use of those to whom it may be comfortable to get it. This policy is most prejudicial to our manufacturing, shipping, and rural industry, and nothing would prevent it from being ruinous, particularly to the two first, but the abundance of native iron and coals, which are so frequently substituted for it, and the freedom of these from either monopoly or taxation. Wherever it is possible to substitute iron for wood, it is done on a principle of mere economy. It is done in our manufacturing machinery; in our buildings there are iron posts and pillars; our rivers and canals are navigated by iron boats; iron knees are substituted in our shipping for crooked timber; and the

* Tables of the Revenue, Population, Commerce, &c., of the United Kingdom, p. 545.

very dead are buried in iron coffins. It is in fact the important and valuable discovery of the art of smelting iron with coal, recently enhanced in value by the discovery of the *hot blast*, which alone has prevented the timber monopoly and duties from proving utterly ruinous to our manufactures.

The next group of Colonies to be examined is the Australian, commonly called the Penal Settlements. These consist of New South Wales, Van Diemen's Land, Western Australia, and a Colony *in petto*, to be called Southern Australia. The joint population of the existing three Colonies may be taken at sixty-two thousand, the great majority of whom are convicts. In 1833, the joint revenues of New South Wales and Van Diemen's Land (Western Australia had none) were 264,559*l.*; namely, 166,269*l.* for the first named Colony, and 98,290*l.* for the last. The expenditure made by the mother country on account of these Colonies, in the same year, was near four hundred thousand pounds, (395,464*l.*); namely, 371,010*l.* for New South Wales and Van Diemen's Land, and 24,454*l.* for Western Australia. The total expenditure, whether by the mother country or by the Colonies themselves from the resources of taxation, amounted to a sum exceeding six hundred and sixty thousand pounds a-year, (660,023*l.*); which is at the rate of more than ten guineas per head. The expenditure of Great Britain alone, is equal to near seven pounds per head upon the population; and the local taxes alone are above four guineas per head. A great deal of the enormous expenditure of Great Britain is, of course, to be placed to the account of the maintenance of the penal establishments. If the value of these possessions is estimated by the market which they furnish for British products, it will be found to be a test which they cannot stand. In 1833, the total value of the exports to them of British produce and manufactures, was only between five and six hundred thousand pounds, (558,372*l.*); which includes, let it be observed, the products taken off by the fisheries, and the reckless expenditure by the government upon the convicts. Of the same commodities there were exported, in the same year, to the independent Islands of the neighbouring archipelago, where we are not put to one farthing's expense for military, naval, or even consular establishments, to the value of between six and seven hundred thousand pounds sterling, (657,010*l.*); which is near one hundred thousand pounds more.

Ceylon may come next, in the order of examination. This is a conquered province, with an Asiatic population of about nine hundred and fifty thousand, and where the European conquerors do not exceed six or seven thousand in number.

Of the Asiatics whom we have conquered, the inhabitants of Ceylon may be considered the least ingenious, industrious, and civilized. The local revenue raised from this very beggarly and oppressed people, is made, by the public documents, to amount to a sum approaching to half a million, (475,563*l.*). This amount is not sufficient to satisfy the rapacity of our mismanagement; and the British treasury is called upon to disburse 128,167*l.* for military expenses, 1,005*l.* for civil expenses, and 1,964*l.* for naval expenses; making, after a repayment of 17,799*l.*, a total of 113,340*l.* Thus the charges of government for each inhabitant of Ceylon amount to above twelve shillings, and the local taxation to above ten shillings, which is more than double the rate of taxation in the territories governed by the East-India Company; although the inhabitants of these last are not only more industrious and civilized than the Cingalese, but also inhabit countries of much superior fertility to Ceylon; while in dividends and pensions unconnected with the management of India, the continental Indians pay in England a good million sterling per annum. The extravagance of the management of the Crown in Ceylon, may however be placed in a still more striking view. The whole territory governed by the East-India Company contains ninety millions of people, and were their administration to be as costly, in reference to population, as that of Ceylon, the annual charge would amount to above fifty-seven millions; which would be near forty millions more than the entire revenue of India, that being only eighteen millions. Let it, however, be imagined that India, like Ceylon, came to the British Exchequer for aid, and that this aid was granted in the same proportion; then India, instead of paying its own expenses as at present, would be a burthen upon the British people of above ten millions per annum, (10,737,474*l.*). The amounts of British produce and manufactures exported to Ceylon are not distinguished in the official returns from those to the territories of the East-India Company, and therefore it is impracticable to render any account of them. That it is paltry, is, however, obvious enough from the simple fact, that the number of ships which entered the ports of Ceylon from Great Britain in 1830, was only eleven, in burthen short of four thousand tons in the whole. Even of this, in all probability the greater part consisted of mere transport tonnage for troops and stores. Ceylon has been supposed to be a very valuable possession, in consequence of its being almost the only country which produces genuine cinnamon. The use which has been made of this gift of nature to Ceylon, during our forty years possession of it, may be briefly stated. Until

within the last two or three years, we kept the growers and preparers in a state of slavery; making the exportation of a cinnamon plant, or the planting, or the destruction of one, beyond the pale of the public monopoly, a capital offence. The monopoly has been abolished; and in lieu of it has been imposed, what to the consumer is pretty nearly equivalent, a tax of three shillings per pound upon every pound exported. The average cost of producing a pound of cinnamon is probably not above three-pence; so that we have here, at once, a charge of twelve hundred per cent, with sixpence more imposed afterwards in England, making the whole charge upon the prime cost about fourteen hundred per cent. This is called *trading*; this is what the government of a great people assembles to arrange for them. It is not by thus treating the staple and peculiar product of a country, that the agricultural and commercial industry of a people is to be advanced. For the last five-and-twenty years there has been no increase of the consumption of cinnamon in England; although the number of the consumers has increased by 25 per cent, and the aggregate wealth of the country in a much larger ratio. But Cassia, which is used as a substitute for it, and of which the trade is free, has, notwithstanding a double British duty, been doubled in consumption, even within the last fifteen years; while it yields to the Home Treasury five times the amount of duty that Cinnamon does. Enough of Ceylon, until it be better managed.

Proceeding westward, we come to the Cape of Good Hope; which, in the official classification appears under the head of 'Military and Maritime Stations.' It partakes, however, not only of the character implied by this classification, but it is also a colony and a conquest. The population consists of a small proportion of slaves, just emancipated,—of colonists of Dutch and English extraction,—and of natives, being Hottentots, Boschmen, and Caffies. Before the recent territorial acquisitions from the Caffres, the whole population amounted to one hundred and forty thousand. The local revenue, in 1833, amounted to 137,323*l.*; that is to say, the taxation amounted to near a pound a head,—a prodigious rate for a country of such inferior resources. The expenditure by Great Britain amounted to 117,074*l.*; making the total sum expended for the government of the Cape, upwards of a quarter of a million sterling per annum, (254,397*l.*); which is equal to an expenditure of above six-and-thirty shillings per head. The export of British produce and manufactures to the Cape of Good Hope amounted to 346,197*l.*; so that the charge incurred by Great Britain for maintaining this market for its products, amounted to upwards

of 30 per cent upon the products in question. We have to set off against this the advantages of the Cape in time of war, as an out-work for the protection of our Indian Empire. As a maritime station, its advantages are small; because the better and safer port of St. Helena is close at hand, and the Cape is seldom approached without imminent danger to the navigator.

After the Cape, may be considered our possessions in Tropical Africa;—namely Sierra Leone, Gambia, Cape Coast, and Fernando Po; to which Ascension and St. Helena may now be added. These are partly maintained as naval stations, partly as stations for the suppression of the slave trade, and in some part for commercial purposes. The total population here probably does not exceed forty thousand. The local revenue, as far as it is given, amounts to 18,782*l.*; but there is no account of that of Fernando Po, Cape Coast, Ascension, or St. Helena. If that of the three first were insisted upon, the return would probably be *Nil*; and the revenues of St. Helena would scarcely raise the whole to twenty thousand pounds sterling. The total expenditure by Great Britain is, according to the official statement, 63,938*l.*; this, however, does not include St. Helena, on which the East-India Company expended from a hundred to a hundred and twenty thousand pounds per annum; for it is here to be observed, that although the greater territorial acquisitions of the East-India Company have been managed with comparative economy, in the administration of factories and out-settlements the Company has greatly outstripped even the extravagance of the Crown itself. Of course, the official statement of the expenditure of the African Settlements renders a most inadequate account; of which the reader may judge, when he is informed that the naval expenditure, which is known to be enormous, is given for the entire West Coast of Africa at the paltry sum of 3,464*l.* The whole of our exports of British and Irish produce and manufactures in 1833, amounted to 329,210*l.* Suppose that the nett profit upon this export is 10 per cent. to the merchant; it is clear that to the nation which pays near sixty-four thousand pounds for the charges of carrying it on, there is a loss equal to nearly double what the merchant gains.

The 'Military and Maritime Stations,' strictly so called, are Gibraltar, Malta, and Heligoland; and there may be added to them the Ionian Islands, which, in so far as we are concerned, are maintained only for military purposes. The population of these possessions, amounts to about three hundred and forty-eight thousand; viz., 23,932 for Gibraltar, 122,163 for Malta, 201,992

for the Ionian Islands, and 2,000 for Heligoland. There is no revenue, from all appearance, at Heligoland; and the Colonial office in Downing-street seems not to be in possession of any account of that of the Ionian Islands. The united revenues of Gibraltar and Malta amount to 157,433*l.*; namely 32,990*l.* for Gibraltar, and 124,443*l.* for Malta. Let the revenue of the Ionian Islands be supposed to be proportionally to the population the same with that of the North-American Colonies, (in all likelihood it far exceeds this ratio, in as much as the latter are taxed by a far more independent legislature), and we shall have for it a sum of 64,640*l.*, which added to the previous sums, will make a total Colonial revenue for this group of 222,073*l.* The total charges incurred by Great Britain whether civil, military, or naval, amount according to the Official Return, to the enormous sum of near three hundred and sixty thousand pounds, (359,659*l.*). For Gibraltar, the British people are called upon to pay, every six years and a half, a clear million sterling; and for Malta and the Ionian Islands jointly, a million every five years. In less than three years time they are called upon to pay a round million for the whole taken together. Since 1815, they cannot have cost us less than seven millions sterling, exclusive of interest; rather an expensive preparation against the contingency of a war, and an expensive protection to our commerce. Our exports of British and Irish produce and manufactures to every State or place which can be supposed to derive benefit direct or indirect from this expenditure of British money,—that is, besides the stations named, to Italy, Turkey, Greece, Egypt, and Barbary,—amounted, in real value, in 1833, to about four millions sterling. Exclusively then of diplomatic and consular establishments, and fleets, these military and maritime stations are a commercial burthen, amounting to a kind of convoy duty equal to 9 per cent upon the trade.

It may be said, no doubt, that the possession of these military and maritime stations, is, at whatever cost, indispensably necessary to the maintenance of our naval and commercial power. Great doubts, however, may well be entertained of the soundness of such an opinion, when the United States of America are seen to maintain and augment their naval greatness, and this too although their resources are at least three times as far off as ours, without garrisoning a single rock in the Mediterranean. Neither is the commerce of the United States with the countries in question inconsiderable; for in 1833, independently of the merchandise the Americans furnished through their carrying trade, which is large, they furnished goods direct from

the United States to the value of little less than a million sterling, (4,688,154 dollars)* •

Having gone through the Colonies in detail, a few general observations will now be added. Their total population borders upon four millions; and the total expenditure incurred by Great Britain on their account, is according to the Official Return at the head of this article, 2,364,309/ 6s 9½d. That return however, as already stated, is in itself obviously imperfect. Of the total just stated, the greater portion is avowedly military expenditure, and this is made to amount to a sum bordering upon two millions, (1,920,287/). The particulars are given in considerable detail, under no less than sixteen heads. Notwithstanding this parade of accuracy, however, several most material items are omitted. Thus the military expenses of the Colonies are not charged with a share of the General Staff in England. The charge of the Recruiting establishment, far more expensive for the troops serving in the Colonies than for any other part of the army, is wholly omitted, and a still more material part of the Colonial military charges is forgotten, the half-pay or military dead weight. In 1833, the total charge of the effective army and ordnance was 5,420,601/. From the Official Return then, near two fifths of the whole effective military charge was incurred upon account of the Colonies. The half-pay ought to be in the same proportion. This for the army and ordnance, in the same year, was 3,141,568/, therefore the proportion of this for the army serving in the Colonies, ought to be above one million one hundred thousand, (1,112,920/), which sum added to that actually given, would raise the whole military charges to above three millions (3,033,212/).

The omission of all charge for the dead weight, is the more remarkable in as much as the Government of the Crown has made a charge for pensions and half-pay on the East-India Company, for the European troops serving in India. It is true that the amount, sixty thousand pounds per annum, is pitiably inadequate, but it is still enough to establish the principle and practice.

"The appetite of our Government for military expenditure is not satisfied even with this vast amount, and the local resources of the different Colonies are put in requisition for farther contributions, and so we see expended on Local Corps, General Staff, Colonial pay to the King's troops, &c., a sum which, as far as the imperfection of the Returns will admit of its being stated, amounts to near one hundred and forty thousand pounds per annum, (138,084/).

The total Civil expenditure incurred for the Colonies by Great Britain, is according to the Parliamentary Paper 431,241/. The particulars of this expenditure are also given. A few of the items may be adverted to. The charges for Convicts amount in all to 346,875/. The Ecclesiastical Establishments come to very nearly forty thousand per annum. The British Revenue departments, that is to say, the Customs and Post Office,—cost upwards of a hundred and forty thousand per annum, (141,085/.). The revenue to be collected by these precious departments, including the $4\frac{1}{2}$ per cent duties, is no more than 187,953/; namely 123,312/. for the Customs, and 64,641/. for the Post Office; so that all that goes into the Treasury, is short of fifty thousand pounds a year. The charges for the Post Office are stated at 36,460/; so that it might appear that there is in this department a net revenue of some twenty-eight thousand pounds. Any such conclusion, however, would be wide of the truth. A proportion of the charges of general management in England is not included; and the establishment of the packets for conveying the letters to the Colonies, which cost more than four times as much as the whole pretended net revenue, is entirely omitted in the Statement. The charges of collection, upon the gross revenues, of the Customs and Post Office, amount to about 75 per cent; or in other words, three-fourths of what is exacted is wasted in the exaction. It is only in State Affairs, that such things are heard of. The miller that should waste three-fourths of the corn which he received to grind, would quickly cease to be employed, and the manufacturer who wasted three-fourths of his raw material in the act of working it up, would very speedily be ruined; but the more our statesmen waste, the more they prosper.

The naval charges incurred by Great Britain on account of the Colonies, amount, as they are given in the Return, to about fifty thousand pounds per annum. This constitutes by far the most imperfect part of the Returns; and indeed it must be admitted, that it would not be very easy to apportion to the Colonies, with any degree of correctness, the share of the general naval expenditure with which they ought to be charged. The real expenditure is in all probability nearly in the same proportion as the military; and, should this be the case, instead of fifty thousand pounds, which includes nothing but the dock-yards at a few stations, we must place to the account of the Colonies near two-fifths of our whole naval expenditure, that is to say, two-fifths of an expenditure which, in 1833, amounted to 4,878,634/., or near two millions, (1,951,454/). But, that there may be as little risk as possible of exaggeration in such a case, let the

estimated charge be taken at no more than one million and a half, exclusive of the fifty thousand pounds stated in the Return.

The total local revenues, where they are given in the Returns, amount to 1,795,223*l.*; but the revenue and expenditure of no less than sixteen of the Colonies, with a population of upwards of six hundred thousand, is not given at all. Ten of these are West-India Colonies, and among them the most important one of all, Jamaica. Their revenue may be estimated to be, in the ratio of population, the same as that of the West-India Colonies of which the actual revenue has been rendered in the Return. The rest are European settlements, the most important of which are the Ionian Islands. Computing the revenue of these to bear the same ratio to population as that of the North-American Colonies, there may be added, altogether, to the Official Return, a sum which will raise the total to above two million two hundred and sixty thousand pounds sterling, (2,266,379*l.*).

Thus the Returns for sixteen Colonies, and for a population exceeding six hundred thousand, with a computed revenue approaching to half a million, (471,156*l.*), are altogether wanting. In other words, the Minister comes to Parliament, yearly for grants of money exceeding two millions three hundred thousand pounds, without knowing, within some half million sterling, what local resources he has to rely upon; and in fact, without being aware, to that extent, of what is expended or not expended, by the Governments under his control.

In the account of expenditure by Great Britain, there is a heading entitled 'General Charges,' amounting to thirty-seven thousand pounds and upwards, (37,114*l.*). It might be supposed that these General Charges would have embraced the Colonial Office, and a proportion of the Military Staff at home. It turns out, however, to be nothing of the kind; but certain additional military charges for stores, freight, provisions, &c., amounting to upwards of twenty-nine thousand pounds; with a round, lumping, additional eight thousand pounds for the Clergy of the Established Church. It seems to be little better than an item of 'Sundries,' to balance the account. In fine the Colonial Office, though costing more than thirty thousand per annum, and under no pretext chargeable to any other head, is wholly omitted.

The reader, after these explanations, will be in a condition to form a tolerable guess of the true expense incurred by the mother country on account of the Colonies, as well as of the general charge incurred for their administration. It may be set down as follows:—

Civil, Military, and Naval Expenditure, by Great Britain, according to Parliamentary Return.	£. 2,361,309
Additions to ditto, as above explained.	2,642,927
Estimated cost to the nation of Colonial monopolies,	2,718,976
Interest, for ever, of money paid as compensation to the Colonial Slave-owners, for working in a cheaper and better way than before; the work done, being done at a loss to the British people, and forcibly taken from them by means of a monopoly besides.	800,000
Expenditure from Colonial Taxes.	2,266,270
Total Expenditure.	10,792,480

Here is an expenditure of from ten to eleven millions, for Colonies of which the population is under four millions; and of this sum more than eight millions is expended by Great Britain, and this chiefly under the pretext that they furnish a great and valuable market for our domestic products. This great and valuable market took off British and Irish products and manufactures, in 1833, to the value of between six and seven millions sterling, (6,597,196*l.*), or to the amount of very nearly two millions less than the sum expended by the mother country in securing it. But to remove all imputation of exaggeration let it for a moment be imagined, that the Parliamentary Statement exhibited every farthing of the disbursements made by Great Britain, civil, military, and naval,—that sugar, coffee, and other Colonial products were as cheap to the people of this kingdom, as if there existed neither protecting nor discriminating duties to force them to buy the dearer instead of the cheaper,—and that we had never given twenty millions to the slave-owners,—still, there will remain a sum of between two and three millions paid annually by Great Britain, on pretence of securing the Colonial market. This sum alone, on the value of that market, will amount to a charge of above thirty per cent, which is twice or three times a mercantile profit. It is sufficiently remarkable that, with all the bolstering and tinkering of this Colonial trade, it still affords a market for British products less by a million a-year than the market of the United States, or the joint markets of Germany and the Low Countries; while it scarcely takes off a fraction equal to a sixth part, of our entire exports of the same commodities.

A few remarks will be offered on the remedies for the evils which have been pointed out. The sugar Colonies contain between eight and nine hundred thousand inhabitants. Of these about a twelfth part is composed of the white aristocracy, who have appropriated nearly the whole land. The remainder

consists of mixed races, in a state of political degradation, or of the African race still in a state of virtual slavery. The whole will in about five years and a half be free, and in possession of an equality of political rights. But the greatest of all clear things, is that this population will not go on being supported, according to the several gradations of their hierarchy, —the white ones in madder and brood cloths, and the black ones in salt fish and osenbungs,—at the expense of the British people. They must learn to keep themselves, as we do, and be thankful they have not other people to keep, as we had. But while this country is freed from the bonds of its connexion with the West Indies the West Indies ought to be rendered equally free on their side, and the commerce of the world thrown open to them. They must also be left to govern themselves. They have a local revenue of between six and seven hundred thousand per annum, which ought to be a sum sufficient to secure to them every advantage of good government. According to the Parliamentary Return, there are at present paid between six and seven hundred thousand pounds a year for the mere military charges. From this burthen as well as all civil expenditure, we ought in justice to be relieved, and this would produce a legitimate retrenchment in the national expenditure, of between eight and nine hundred thousand pounds sterling, (£719,571). If the West India Colonies want military assistance from England they will not be slow to state it, but the extent of their demand will at the same time be tempered by the knowledge of what they will have to pay for it. This, let it be observed, is the course prescribed by statute in the case of the East-India Company, and so ought it to be with every Colony that is in a condition to have a representative government, and that is not a mere military station or penal settlement.

With respect to the North-American Colonies, the case is a good deal more simple. The majority of the people of these Colonies are anxious to govern themselves, and if the national advantage of Britain were consulted instead of that of a ruling ~~fact~~ ^{fact} we on our side ought to be equally anxious to concede it. The duty on foreign and Colonial timber ought to be equalized, or if any concession were made to Canadian timber, it ought to be on the principle of its inferiority of quality, or of leaving the duty on the value. The first reform would save the nation £25,562 per annum, being the official estimate of the civil, military, and naval expenditure of the mother country, and the second £1,218,576, the estimate already made of the burthen of the timber monopoly. In this manner, there would be a saving to the nation of at least £1,644,538,—the

discontented North American Colonists would be satisfied;—they would exchange the monopoly of the English market for a free trade with all nations, and the market of the Northern nations of Europe, lost for twenty years to Great Britain, would be reopened to her. It is singular to observe, in reference to the true interests of the country, how the Colonists and the British Executive have, as it were, exchanged their natural positions. The Colonists say, 'Let us govern ourselves, our own resources are quite sufficient, and we do not desire to be a burthen to the people of the mother country.' The government of the Crown says, 'This must not be; the people whose affairs we administer must not be relieved from a heavy burthen, because this would relieve us from the exercise of a heavy patronage, and make you so contented that there would be no merit in conducting your affairs.' For the last twenty years, the Colonists of North America have been expressing their strongest dissatisfaction at our management; and, during this time, we have absolutely wasted upon them in Parliamentary grants, without any regard to the loss we sustain by the monopoly we give them of our markets, a sum equal, including grants for fortifications and water communications, to at least ten millions sterling. It is very probable, considering the sinister interests and deep prejudices which are involved in this expenditure, that it will take at least ten years more to bring the Executive and Legislative Government of Great Britain to its senses; within which time, some five millions more will have been wasted. Should the timber monopoly be persevered in during the same time, which is very likely, then a sum, from first to last, will have to be added on this account, equal to above thirty-six millions; so that altogether, our ignorance, our prejudices, and our corruption, will have cost us above fifty millions, before this darling job is finally got rid of.

The Australian Colonies cost the nation, as already stated, near four hundred thousand pounds per annum, (395,404/), besides the expenditure of local resources to the prodigious amount, for such countries, of upwards of two hundred and sixty thousand pounds per annum, (264,559/); ~~and~~ a total expenditure exceeding six hundred and sixty thousand pounds, (660,023/). The free inhabitants of Australia are anxious for a representative assembly. It may safely be predicted, that under the management of a popular assembly, a revenue exceeding two hundred and sixty thousand pounds per annum would be far more than adequate to defray the charges of administering the government, whether civil or military, of sixty or seventy thousand persons, who have no internal enemy that

can disturb their tranquillity, and no external one within ten thousand miles that can cause them a moment's uneasiness. As long as these Colonies are preserved as penal settlements, the expenditure on their account ought to be confined to the charge of transporting the convicts; which by the official statement appears to be about a hundred thousand pounds, (106,145*l.*). The expense of maintaining the convicts afterwards, might safely be left to those who required their labour, provided their number were limited to the effectual demand for them. As to their punishment, the being forcibly expatriated and reduced to virtual slavery for seven, or fourteen years, or life, ought surely to be deemed adequate to any crime for which banishment is to be inflicted. Should this principle be acted upon, a national saving amounting to near three hundred thousand pounds a-year would be effected.

Ceylon affords a local revenue of 475,563*l.* But this is not enough for its administration, and England, as before mentioned, is called upon for an additional sum of no less than 113,340*l.*; so that the whole expenditure amounts to the enormous sum of 588,903*l.* There is no country that could be governed more economically than Ceylon, did the disposition to economize exist. There is no internal or external enemy to apprehend; for the timid population has been unresisting for fifteen years, the island is sea-girt, and has no neighbourhood that is not British. It has been shown that its administration is twice as expensive as that of the East-India Company, without being one half so respectable. Let Ceylon by all means be annexed to the territories of the East-India Company; whereby England will be relieved from a sum exceeding one hundred thousand pounds per annum, and the oppressed natives at the same time unburthened of taxation to the extent of some two hundred thousand pounds per annum, while their agricultural and commercial industry will have some chance given them of rising to a level with those of their Indian neighbours. There is no pretext, except the love of extravagant expenditure and jobbing, for making Ceylon a government distinct and independent from that of our other East-Indian possessions. The soil, the climate, the national products, and the people, with their manners, institutions, religion, and language, make it only one of the many provinces of the great Indian empire. An offset in the way of deputy, of the Governor-General of Bengal, under the protection of a moderate detachment of the Indian army, would administer its affairs economically; and in truth they were so administered during the first seven years of British possession.

The Cape of Good Hope ought to have a representative government; and then a sum of near a hundred and sixty thousand pounds sterling, its present local revenue, ought to be adequate to every legitimate purpose of civil and military administration. The present scale of expenditure is shameful, and such as no representative government would tolerate. The reader, from a few specimens, will be able to form a tolerable estimate of this. The cost of the civil government exceeds thirty-five thousand pounds, the revenue departments exceed thirteen thousand, and the judicial fifty-five thousand, while the ecclesiastical establishments come to near ten thousand. The whole military charges are defrayed by Great Britain. The spirit of conquest and Colonial aggrandizement, has lately infected the miserable government of the Cape of Good Hope; and tens of thousands of square miles of desert have been annexed to our possessions, which will add to our expenditure, but neither to our resources nor our security.

There are no Colonial establishments belonging to the Crown, which have proved more expensive, in proportion to the use derived from them, than those in Tropical Africa. Exclusive of St. Helena and Ascension, the annual expenditure on them by Great Britain is represented in the Parliamentary Paper at nearly fifty-three thousand per annum (52,787*l.*); but this is evidently underrating it, for the whole amount of naval expenditure is given at no more than 1,500*l.* Sierra Leone, after a nursing of fifty years, ought to be able to govern itself like one of the Hanse towns; and would no doubt prosper exceedingly under the Burgomastership of the most eminent seller of timber, or collector of cam-wood, the inhabitants should fix upon. The militia, with the protection derivable from the presence of British ships of war on the coast, would be sufficient for security; and such offsets and out-quarters as this was not sufficient for, should be withdrawn. We have lately added Fernando Po and Ascension to our other establishments. Both of these are evidently superfluous; and by abandoning them, an immediate saving of near twenty thousand per annum, (19,697*l.*), would be effected.

Without venturing to question the utility, or the justice, or the policy of retaining Gibraltar, all of which, however, were questioned by so considerable an authority as Lord Chatham, it may be safely said that if this military post be necessary, the neighbouring ones of Malta and the Ionian islands must be superfluous; and the more so since the establishment of an independent State in Greece, allied by its interests and necessities to Great Britain. The effect of our government

in Malta has been to produce a great deal of just discontent among the native inhabitants; who seem, with few exceptions, to be excluded from all offices of trust, honour, or profit, which they have the mortification to see jobbed away among men who are strangers to their language, manners, and religion. Great Britain expends nothing upon the civil government of Malta; but its own large revenue of upwards of a hundred and twenty-four thousand pounds (124,442*l.*), seems to be most recklessly squandered by the British executive. On a population of one hundred and twenty thousand, there are expended for the executive civil government above forty thousand pounds per annum, (40,661*l.*); for the revenue departments above three thousand, (3,108*l.*); for judicial and police establishments, near twenty thousand (19,305*l.*); and for the surveying departments, in an island of a hundred square miles surface, every inch of which has been well known since the time of the Carthaginians, and of which the best part of the soil has been imported and consequently weighed, between eight and nine thousand per annum, (8,762*l.*). As a set-off for this extravagance, however, it is found that the whole expenditure for ecclesiastical and school establishments, for a Catholic population of one hundred and twenty thousand, amounts to 191*l.* 2*s.* 10*d.*; being the salary of one decently paid English curate. Under the same head there is found for the Protestant church-going population of the settlements in Australia, whose number is little more than half the population of Malta, an annual expenditure approaching to five-and-twenty thousand per annum (24,860*l.*), besides huge tracts of reserved lands. All this is very much after the fashion of Ireland*.

Of the local revenue of the Ionian islands, there is, as already stated, no return; but it seems to be adequate to discharge the whole expense of civil government, as there is no claim made upon this account on Great Britain. The Ionian islands ought to be left to govern themselves; and if they desire protection from us, a single frigate will afford as much as, in their very favourable situation, can possibly be either necessary or useful to them. This would relieve Great Britain of an annual charge of near a hundred thousand pounds, and relieve the Ionian islanders from having their affairs administered by the Horse-Guards after the fashion of a conquered province. The inutility of Heligoland seems admitted on all hands? Its cost to the nation is set down at 862*l.* The abandonment of

* The abuses in Malta have at length, in consequence of the exertions of the press, been noticed at the Colonial Office.

Malta, the Ionian islands, and Heligoland, would produce a saving of upwards of two hundred thousand pounds per annum, (205,266*l.*); a sum well worth the consideration of a reforming ministry.

The protection and extension which the military and maritime stations give to our commerce, have been much boasted of. In so far as protection is concerned, the character of such fortified rocks as Gibraltar and Malta, and they are by far the best of the class, is easily understood. They are fleets immoveably moored, in situations supposed to be favourable for affording protection to trade; and their utility will be determined by the necessity which exists for them, and the amount of the expense at which they are maintained. In the neighbourhood of civilized nations, provoking as they necessarily do, national jealousy and exciting national antipathies, they may be looked upon, for the most part, as worse than useless. In the neighbourhood of barbarous or uncivilized nations, their value may be easily understood. The value of two or three such rocks as Gibraltar or Malta, on the coast of China, would be obvious enough; but even in this case, they ought to be made to pay their own expenses. In lieu of such stations, we have at present moored in the estuary of one of the Chinese rivers a large fleet of merchant ships, by means of which a commerce is effected with the Chinese empire which takes off annually the products of British or Anglo-Indian industry to the amount of some four millions sterling. It may be safely asserted that no ten British Colonies of the Crown, nor all our military and maritime stations put together, effect so much in forwarding the national commerce, as this very simple contrivance, which has the further advantage of not costing the nation a single shilling.

According to the sketch now given, the following retrenchments might, not rashly or immediately, but in due time, be effected in our Colonial expenditure.

Retrenchments from civil and military expenditure, for the		£
Sugar Colonies	- - - - -	871,985
Ditto, for North-American Colonies	- - - - -	15,062
Ditto, for the Australian Colonies	- - - - -	289,319
Ditto, for Ceylon	- - - - -	113,340
Ditto, for the Cape of Good Hope	- - - - -	97,222
Ditto, for the settlements in Tropical Africa	- - - - -	19,697
Ditto, for military and naval stations	- - - - -	205,266
Total		£ 2,022,391

If to the total sum here stated, be added the saving which

would accrue from the abolition of the Colonial monopolies, namely 2,718,976*l.*, the total benefit which would ultimately accrue to the nation from acting on the principles explained in the course of this article, may be estimated at upwards of four millions seven hundred thousand per annum, (4,741,367*l.*); and this too without any reference to the share which the Colonies ought to bear of the general metropolitan establishments, or of the naval and military dead weight.

The reader may desire to see how such matters are managed, under the Republican institutions of the Anglo-Americans. What in the official language of the Americans, are called 'Territories,' are strictly Colonies, sent out by the old States; and of these there existed in 1833 three, namely Michigan, Arkansas, and Florida. The civil expenditure on these 'Territories,' was 52,818 dollars, to which however ought to be added a sum of 4,320 dollars paid as compensation to their three delegates to Congress; making the whole amount to 57,138 dollars or about twelve thousand pounds, no very extravagant charge for the administration of above a hundred thousand persons. The most expensive of these 'Territories' may be given as an example of the details, which are thus stated in the official documents.—

Michigan Territory.

Governor	-	-	-	-	-	2,000
Four Judges, at 1200 dollars each	-	-	-	-	-	4,800
Secretary	-	-	-	-	-	1,000
Contingent expenses	-	-	-	-	-	350
Compensation and mileage of the members of the Legislative Council, pay of officers of the Council, fuel, stationery, printing, &c.	-	-	-	-	-	11,448
Delegates to Congress, at eight dollars per day	-	-	-	-	-	1,440
Total					dollars	21,038*

Here is a charge of between four and five thousand pounds; not an extravagant sum for the government of a ~~population~~ which is rapidly advancing, and which, in reality, amounted to thirty-one thousand by the census taken three years before the period of the statement. The British Colony of Prince Edward's Island, with nearly the same population as Michigan, costs the mother country yearly for its civil establishments 4,710*l.*, besides 12,383*l.* from local taxation, making a total expenditure of 17,093*l.*; so that in fact its

* American Treasury Statements, 1834.

government costs near four times as much as that of the American Colony. Of such Colonies as are now described, the Americans have had, from first to last, no less than fourteen; eleven of which have received the rank of Sovereign States. The object of the Americans is to raise their Colonies to the rank of independent States;—the object of the English, is to hold Colonies in a state of dependence and spend money on them, the recipients of the said money being manifestly the directors of the project. The expense incurred by the American government for the support of its Colonial establishments is trifling. Not so the revenue which it derives either from its present 'Territories,' or those States which were recently 'Territories.' It is in these that are situated the public lands; the sale of which has brought to the American exchequer, for some years back, a round sum of three millions of dollars per annum; being equal to more than fifty times the charge of maintaining the administration of the 'Territorial' establishments.

But there are other lights in which the management of the Americans may be exhibited to very great advantage, when contrasted with our own Colonial management. In 1834, the total expenditure of the American Federal Government, Civil, Naval, and Military, exclusive of the public debt, which was in that year extinguished by payment of the whole balance of capital due, was 18,506,912 dollars or 3,932,715*l.* sterling. This was for a population which, including Indians, by the Census of 1830 was 13,243,407, and in 1834 must have been at the very least fourteen millions. The Government of the British Colonies, with fewer than four millions of inhabitants, costs, even by the imperfect Official showing, 4,630,683*l.*, being near seven hundred thousand pounds more than the total American expenditure. Each British Colonist, according to this view, costs near 23*s.*; and each American citizen about 5*s.* 7*d.*, or one fourth part as much. This, however, obviously gives an unfair view of the American expenditure, because it includes a great naval expenditure, of which, with the exception of a sum of fifty thousand pounds or thereabouts, there is no notice taken in our Colonial expenditure. But the naval expenditure of the United States amounted in 1833 to 3,956,370 dollars; which deducted from the whole expenditure, will leave 2,667,002*l.* sterling, to be compared with the British Colonial expenditure, of 4,630,683*l.* minus the naval expenditure of fifty thousand pounds. This will make the real excess of the British expenditure near two millions per annum, and show that the actual expense of the general government of the American Union, exceeds the expenditure made by the mother country on Colonies

alone, by the sum of no more than 352,698*l*. *Then as to the details, the comparison will appear yet more remarkable. Our Colonial military establishments cost the mother country, according to the Official Return, very nearly two millions a-year, (1,920,287*l*.), without including the recruiting service, half-pay, or General staff. In the same year, 1833, the American military charges, including army, ordnance, fortifications, and recruiting establishments, with the charges of the non-effective as well as the effective force, and the arming and equipping of the militia, cost 5,594,953 dollars, equal to 1,188,928*l*. If to the British military expenditure be added the sums which are taken from the Colonial revenue, even as they are imperfectly given in the Returns, it will turn out that the military expenditure of Great Britain upon her Colonies is more than double the entire military expenditure of the United States. Now the American regular army is not inconsiderable; there is an extensive General Staff, an Engineer Corps, a Military Academy, an Ordnance Department, four regiments of artillery, seven regiments of infantry, and a regiment of dragoons; besides the equipment of a large militia. It will perhaps be said, that the military defence of the United States is much easier than that of the British Colonies: This is so far true, as the compact States of the Union are more easy of defence than the widely dispersed and scattered Colonies of England. But still there are many causes in operation to counterbalance this superiority on the part of the Union. Almost every Colony of England is defensible by the English navy; and if on the one hand the English Colonies contain an Asiatic or Negro population, the territory of the American Union on the other hand contains many unfriendly Indian tribes, and a population of two millions and a half of Negro Slaves, very properly, ripe for rebellion. If the North-American Colonies of England have a long line of frontier on which to apprehend the hostility of the Americans, the Americans of course have equally to apprehend the hostility of England on the same frontier; and they have, over and above this, to guard themselves on their Southern frontier, from the ~~possible~~ attacks of the new republics which have risen out of the Spanish Colonies. The real truth is that America is substantially protected, not by a professional soldiery, but by the courage of its citizens, their attachment to their institutions, and determination to maintain them. The case is very different indeed, with the English Colonies. The great mass of the population consists, not of British-born subjects in the full enjoyment of free institutions, but of conquered foreign Europeans, of feeble Asiatics, or descendants of African negroes,

only half emancipated from slavery. The great bulk of such a population can have neither the courage nor the desire, either to stand by the present order of things, or to protect itself against foreign invasion; and therefore internal tranquillity, and security from foreign aggression, can only be maintained by the aid of a regular army. The obvious disadvantage on our side, is only to be mitigated by the abandonment of useless Colonies, and by bestowing liberal institutions upon those which remain.

After what has been stated throughout this article,—and probably it has been stated to the public for the first time so circumstantially,—the reader will be satisfied of the vast and overwhelming abuses which exist in our Colonial administration, and the prodigious pecuniary loss to which the public, foolishly fancying itself all the while a gainer, is yearly subjected through the mismanagement of the Colonies. But there is still another evil arising out of the Colonial administration, which merits observation. And this is, the malign influence of the Colonies upon our liberties and domestic government, through the patronage and power which they throw into the hands of the Executive. Nearly two-fifths of our military expenditure, as has been already shown, is caused by the Colonies; and so much do the Horse-Guards look upon the Colonies as their own, that for years back, they have been in the habit of naming almost every Governor and Lieutenant Governor for near forty Colonies,—a patronage, for the vesting of which in the Horse Guards, there does not appear a whit more reason, than for vesting it with the Twelve Judges, the Bench of Bishops, or the Victualling Office. The Colonial Secretary possesses a vast patronage; he has, nominally at least, the naming of every Governor and Lieutenant Governor, of every Commander-in-Chief, of all the Judges and Law Officers, of the Colonial Secretaries, and of the whole Ecclesiastical establishment, (which now includes four Bishops), together with Collectors, (sometimes drawing enormous salaries in England and performing their duties by deputy), Post-masters, Stipendiary Magistrates, Master-Attendants, &c. &c. These, however, are only the great or considerable prizes; and the Colonial Office not unfrequently condescends to appoint such functionaries as Vendue-masters, School-masters, Land-surveyors, and Custom-House officers. Of the Civil Expenditure of upwards of four hundred and thirty thousand pounds, made as Parliamentary grants, above three hundred thousand consists of the pay and allowances of Civil Establishments, the offices of which are in the gift of the Colonial Secretary. The patronage of this officer is of course placed under some restraint in Colonies having Representative Legislatures; but in the

conquered Colonies, subject to the Legislation of the Crown, he has it all his own way, either by naming to office directly from England, or indirectly, in the Colonies, through his representative the Governor. Now of these Crown Colonies there are about twenty; of which the gross yearly revenue at the disposal of the Minister exceeds a million and a half sterling, (1,547,300*l.*). As an example, the revenue of Ceylon is put down at above four hundred and seventy-five thousand pounds, (475,563*l.*). Here, the Colonial Secretary names the Governor, all the Members of the Council, the three Judges, all the Law Officers, all the clergy, and the entire Civil establishment.

The evil influence of the Colonies is, however, by no means confined to the patronage which a wasteful and useless expenditure places in the hands of the Executive. The possessors of the Colonial monopolies, are, as might be expected, the steady opponents of all Reform. The interests of this class in bad government, are represented by the extent of the Monopoly-tax which they are the instruments of levying upon the people; and which in this article has been very moderately estimated at above two millions seven hundred thousand per annum. It can hardly be necessary to remind the reader, that the parties here referred to, are the West-India quondam slave-holders, and the troublesome and noisy Shipping interest. These are to be seen, through their agents or their committees, browbeating and intimidating all ministries disposed to liberality, and through their representatives in both Houses of Parliament, aided by the representatives of the Corn monopolists, voting and declaiming against every popular measure. Adam Smith, writing seventy years ago,—and what he then stated is equally true now, and has been ever since,—observed, that ‘under the present system of management, Great Britain derives nothing but loss from the dominion which she assumes over her Colonies.’ The peace establishment of the Colonies in his time, amounted to the pay of twenty regiments of foot, with artillery, stores, and a ‘considerable naval force.’ But ‘his, he says, ‘was the ~~smallest part~~ of what the dominion of the Colonies cost the mother country.’ He debits them with nearly the whole expense of the Spanish war of 1739, and with the 90,000,000*l.* which the Seven Years’ war, exclusively a colonial quarrel, cost the nation. In our times the peace charges, without any increase in the number of our Colonies, have, in every department, been at least doubled, while the share of war expenses of the American and French contests, incurred through them, has been most exorbitant. ‘Great Britain,’ says Smith, ‘is perhaps

since the world began, the only state which, as it has extended its empire, has only increased its expense, without once augmenting its resources.' Has this resulted from generosity or magnanimity? By no means, but from sheer incapacity. The Colonies, when founded, had nothing to pay; and when they became rich, and had popular governments, they declined, although much urged thereto by tongue, fire, and bayonet, only the more. Whenever there has been any thing to be had, and an unresisting population, as in the cases of Hindostan, Ceylon, and Malta,—Great Britain, like Spain and Austria, although a more enlightened tax-gatherer, has exacted to the uttermost farthing, though from extravagance, corruption, of malversation, the tribute has never reached the public treasury.

Such is a naked but true representation of those Colonial Establishments which the vulgar, in understanding not less than in station, have long fancied to contribute so materially to the commercial wealth and naval strength of England. It is quite obvious, that instead of doing either the one or the other, they are among the heaviest burthens which press upon our industry, and among the chief obstacles that obstruct the improvement of our institutions. We are a people who band ourselves together, to seek general poverty and not wealth; or at all events, who make over our government to the hands of those who have private interests in effecting the same result. Let a Committee be by all means appointed, on the very first day of the ensuing Session, to inquire into our Colonial Expenditure and management. Let every Member of it, as soon as he is named, peruse the present article with the Official Papers before him, and endeavour either to refute its allegations, or failing so to do, to act honestly and steadily up to its suggestions.

ART. II.—*Visit to Alexandria, Damascus, and Jerusalem, during the successful Campaign of Ibrahim Pasha.* By Edward Hogg, M.D.—2 vols. Saunders and Otley. 1835.

GREAT interest is associated with all the places visited by Dr. Hogg, and to those who are anxious of obtaining clear, minute, and literal information concerning them, these volumes will be of no inconsiderable service. Modern travellers are in general so accustomed to 'embellish', and to over-load their pages with private impertinences, ornamental flourishes, de-

scriptive rhapsodies, and fanciful speculations, that it is hardly possible to distinguish the country and the people amidst the mass of egotistical words. The reader cannot see through the author, and the author continually thrusts himself in the way. Little or nothing of this kind occurs in Dr. Hogg's unaffected narrative; although, from its free and epistolary style, he continually speaks of himself. In doing this, however, he is never offensive, and seems a patient rather than an agent in the scenes and events he describes. His principle is the converse of that adopted by Alphonse de Lamartine in his recently published '*Pilgrimage to the Holy Land.*' No philosophy, it must be confessed, no intentional poetry, no sentiment, no eloquence, no elaborate antiquarianism, no fatiguing historical digressions, no eternal botanizing and moralizing, will be found in these pages of Dr. Hogg. They derive their interest solely from being a faithful account of many things interesting in themselves, and are devoted to the plain unvarnished statement of such facts as came under the writer's observation. They owe everything to truth, and nothing to authorship.

Dr. Hogg and a friend who travelled with him, were provided by Mohammed Ali, the Pasha of Egypt, with a firman, which gave them great facilities for visiting places they would otherwise have been obliged to avoid. This firman carried them safely through Syria, which was completely in subjection to the troops of Ibrahim Pasha at that time; it gained them admission wherever they wished to go, and even enabled them to press men and cattle into their service. On the whole, they suffered very few annoyances beyond those incidental to the climate: the Christian convents frequently affording them a hospitable shelter; and when they were obliged to sleep in the open air, they were never attacked, and soon lost even the apprehension of any such danger during the prosecution of their journey.

There is one political question advocated by Dr. Hogg, which is worthy of consideration. The Turkish empire is rapidly on the decline, and the power of the Pasha of Egypt is as rapidly rising. As the government of the latter, though despotic, is better than that of the Turkish power; as he is anxious for civilization, improvement, and toleration, and would willingly enter into extensive trade and amicable alliance with England; Dr. Hogg is strongly of opinion that it would be wise of England to give up her Turkish relations and side with the Pasha. 'The important changes that have lately taken place,' make it likely, the author says, that Egypt 'may once more resume its place among civilized nations.' So recently as 1833, when Lord Ponsonby left Naples for Constantinople, the British

government did not appreciate these changes, but looked on Mohammed Ali merely as a refractory Pasha. At present, both Christians and Moslems are tired of the oppressions of the Turkish government, and would joyfully receive any foreign power that would govern them more leniently, and with more beneficial arrangements. Dr Hogg earnestly exhorts England to a due consideration of Oriental reform, and wishes that those 'who rule the destinies of our country, could be aroused from their perilous apathy,' to a sense of the true position of things in the East, 'ere the war trumpet shall proclaim that a new disruption from the frozen regions of the north has again obtained possession of the garden of the world'

'Then would they feel the necessity of changing, without delay, their feeble policy, and perceive the wisdom of aiding, with the whole weight of British influence, the extensive, but hitherto ill-directed efforts, of the ruler of Egypt for the improvement of his states. We can now no longer be deceived by the shallow fallacy that the semblance of independence secured to the Turkish empire by her potent neighbour is intended to be permanent. Either the boundaries that confine the great northern Levathan must be enlarged, and that in a direction hazardous to the stability of our own oriental possessions, or the new empire which has so suddenly grown up, and is so rapidly advancing in Egypt, must, by close alliance, and efficient support, be rendered an effectual barrier against future encroachment — vol 1 p. 12.

As concerns Turkey and Egypt, would not the true policy be to support *both*, in everything that was good, and enter into no quarrels? Turkey may make an effort beyond *redingotes*, and once more '*former la droite de l'armée de Pologne**.' On the other hand, if civilisation could be extended over Syria, Palestine, and Egypt, all of which are in the possession of the Pasha, and also over Arabia, where he exercises a 'preponderating influence,' the advantage of an alliance with England would certainly be great to all parties. The ancient commercial road to India might again be securely traversed, and valuable productions of Syria, as well as from the centre of Africa by means of the Nile, might readily be exchanged for European merchandise. Such are the opinions of Dr Hogg, and it is to be hoped that the instinctive love entertained by the Tories for the Russian Autocrat, will not be able to prevent a timely discussion of the question.

* 'En passant à Bucharest, les officiers turcs paraissent fort amies, ils disoient à un officier français qui se trouvoit dans cette ville "les Français venoient de quoi nous sommes capables. Nous formons la droite de l'armée de Pologne, nous nous montrons dignes d'être l'onges par l'Empereur Napoléon."—50^{me} Bulletin de la Grande-Armée Française, le 11 janvier 1807

The account of the Sapphire Grot recently discovered in the island of Capri, is interesting. The author went by land from Messina to Catania, and describes Sicily, as all travellers do, to be a paradise of natural richness and beauty, with a starving and thinly scattered population. He was particularly struck with the luxuriant vegetation on the lava soil at the base of mount Etna.

'As we approached Catania, and consequently traversed the widely expanded base of Mount Etna, the road continually crossed streams of lava that had formerly descended from the mountain to the sea. These, in their windings, often assumed the forms of romantic, irregular glens of the highest picturesque beauty. The surfaces of some of the streams having, by decomposition, become capable of cultivation, had been sown with corn, and, planted with vines, orange, and fig trees. Others, again, of more recent formation, exhibited huge craggy masses, alternating with hollows and picturesque crevices; among which sprung up luxuriant groups of Indian figs, mingled with the slender branches and delicate blossoms of the graceful oleander, while several species of brilliant yellow flowers, interspersed with rich tufts of pink valerian, in full bloom, covered with splendid garlands this smiling wilderness.'

'Neither in a state of wildness nor culture did I ever before see nature assume so rich and varied an aspect. Here were proofs of that system of destruction and reproduction which is constantly going forward; and by these we are convinced that *compensation* is one of her immutable laws. Inert masses of matter are subjected by contact to the influence of chemical affinity; in certain situations volcanic explosions are the result, and these spread devastation around; but when time has decomposed the semi-vitrified surface of this new stratum, and by producing fresh combinations, has developed the fertilizing principle it contains, the barren waste is converted into a flowery paradise, and the arid desert into a fruitful Eden.'

'As we proceeded, the fertility of the soil in every direction was strikingly luxuriant. Here and there orange groves presented specimens of trees larger than any I had before seen, and the level districts were on every side covered with vines, now beginning to make their first shoot. The latter are here universally cut down to within six inches of the ground, a mode of cultivation which accounts for the superior strength and excellence of Sicilian wines.'—vol. i. p. 29.

Dr. Hogg complains of having narrowly escaped being devoured by fleas, which he judges 'from their size' to have belonged to the 'elephant species.' The accounts of his morbid moods, petty annoyances of dirt and bad smells, and various fits of sea-sickness, had better have been omitted. As to the latter subject, it is especial bad taste in any traveller who introduces it; since those who are liable to be similarly affected, have an antipathy to the reminiscence; those who are not

accustomed to be so affected, have no sympathy with the account; and those who never cross the sea, are in a state of apathy to the question. Various trivialities of this kind, which are well enough in private correspondence, cannot but be considered supererogatory by the general reader, and may perhaps occasion many to wish that the author had condensed his two volumes into one.

During the author's stay at Malta, he was introduced to Lady Georgiana Wolff, whose residence 'was situated on the margin of the Quarantine Harbour.' Her husband was gone 'on a journey through Persia to India, in quest, as it was said, of the lost tribes of Israel.' Dr. Hogg adds, that 'he is universally represented, by those who know him, as a man of powerful intellect, of fearless enthusiasm, and of unconquerable energy; sincere in his intentions, and disinterested in his proceedings.' His success, it is to be presumed, may therefore be confidently anticipated.

The author found the population of Valetta very noisy, living much in the open air, abounding in beggars, priests, and saints, all in picturesque costumes. There are a great many churches, and a constant chiming of bells. The custom of sitting in rocking chairs, with the description of a whole family rocking during a morning call that was paid them, is laughable enough. Passing over the author's renewed attack of sea-sickness on leaving Malta, his complaints of 'irksome monotony,' 'bad accommodation' at sea, [what did he expect?], 'wearisome calm, disagreeable storm, during which a fowl escaped from the hen-coop and committed suicide; unsafe cargo, fever, rheumatism,' and 'hypocondriacal reflections,' the reader at length finds Dr. Hogg safe landed at Alexandria.

The harbour was full of shipping, some two hundred vessels of various size and build, from different nations; and a fleet of ten sail, in the service of the Pasha of Egypt, was standing out to sea, under the expectation of speedily falling in with certain ships of war belonging to the Sultan, which were said to have reached the Dardanelles. There had been 'illuminations and rejoicings' in the city, to celebrate the event of the Pasha having taken Acre by assault. The description of Alexandria from the sea, is picturesque and true; though some may possibly have heard it before.

There is no country where accounts of Eastern magnificence find so ready an ear as in England. When a 'Bazaar' was first opened in London, hundreds of carriages daily surrounded its doors, and thousands of visitors promenaded within its walls. The very name of 'Bazaar,' with reference to the oriental

countries, conveyed, and still conveys, the idea of heterogeneous magnificence. It presents to the imagination a crowd of Turks, Persians, Egyptians, and people from all countries, attired in glittering vests of rich stuffs and many-coloured silks, with long pipes in their hands, great beards on their chins, and ~~and~~ ^{and} ~~and~~ ^{and} countenances of swarthy gravity, perambulating among superb heaps of goods, dark furs, costly brocades, jewels in profusion from 'Ormus or from Ind,' and aromatic spices; behind which are seated the turban-crowned venders in cross-legged repose and dignified silence, with lovely women attractively attired, standing in eastern grace and glory by their sides; while over all the scene, rich perfumes and a deep tone of colour, as from the hand of Rembrandt, create a spell of imposing grandeur and inexhaustible wealth. Let the true state of the case be now given by Dr. Hogg.

'The principal Frank merchants reside in a large species of house called an Okella, of which there are several. These consist each of a huge, ugly fabric of two stories raised round a square court, which is usually littered with empty casks, packing cases, and similar lumber. A gallery surround each story, giving access to the different dwellings into which it is divided. There is generally but one entrance below, and when closed the Okella is thus converted into a kind of fortress, an advantage, which when the persons and property of Europeans were less secure in the east than at present, no doubt gave rise to this mode of building.'

'The brilliant allusions connected in Europe with the name of "Bazaar," are quickly dissipated by the sight of those of Alexandria. More than half the town is occupied by these narrow, dark, unpaved alleys, lined on each side with small, ill-furnished shops. A mud-platform runs along each side of the bazaar, and upon this the handicraft trades are usually carried on. A mat or carpet is laid on the floor of the small square enclosure, open in front, called by courtesy a shop, where the proprietor, sitting in a comfortless, constrained, cross-legged position, is able to reach any of his wares that may be required. A few loose planks, ill put together, often form a shed in front, which is sometimes converted into an awning that reaches to the opposite shop by old strips of canvas, tattered mats, and other refuse.

Of goods, neither the quantity nor variety exposed for sale is considerable; and as the different trades have each, for the most part, their separate bazaar, the purchase of a few trifling articles inflicts on a stranger both trouble and loss of time. These inconvenient alleys are usually crowded with people, many of whom look so squalid and dirty, that one feels a repugnance even to touch them in passing. In some of the bazaars a sort of auction seems daily going forward, conducted by a set of men who walk up and down, exposing for examination and sale, sundry articles of merchandise, and continually vocifer-

ferating either the price they require, or that which has been offered.
—vol. i. p. 95.

The markets of Alexandria are, however, by no means destitute of luxuries; some of which, such as figs, apricots, grapes, mulberries, &c., are in great abundance. The inhabitants are very fond of ices, and 'large cargoes of snow are regularly imported from the mountains of Candia.' The population of the city is estimated at between thirty-six and forty thousand; of which about three thousand are English, Maltese, and Ionians, and nearly two thousand more are French, Germans, Swiss, Italians, Tuscans, Austrians, Neapolitans, Sardinians, Spaniards, Greeks, Algerines, and Levantines.

The following description of the succession of passengers in front of the hotel where the author resided, is highly graphic.

'Military officers frequently passed on horseback, in richly embroidered uniforms, with an ornament on each breast, either simply of wrought silver, or composed of diamonds, according to their grade; always with one or two "running footmen" in long blue cotton vests, and white turbans, preceding their horses, and often followed by two others, whose dresses had a more military cast. Sometimes groups of soldiers lounged by, shabbily habited in dingy red jackets and trowsers, with a cap of the same colour;—many of them tall, well-grown men, of every variety of complexion, ill-dressed, bare legged, and almost shoeless. Then came strings of camels, carrying skins of water, loads of merchandise, and indeed every thing that requires transport, for wheeled carriages are never used for such purposes here. People of all classes and countries passed by mounted on donkeys, which supply the place of hackney-coaches, together with Arab women carrying on their heads water jars, or large shallow baskets, containing bread, and other articles, for sale. These are dressed only in a long and full blue cotton garment, with a piece of the same material thrown over the head, one corner of which, held in the mouth, performs the office of a veil, or, more frequently, their ugliness is concealed by a long blue face cloth, ornamented at the top with coloured beads. They are usually tall and well-formed, but those of the lower class,—who sometimes leave their faces uncovered, have a frightful blue ornament tattooed beneath the lower lip,—a dirty, olive complexion, and altogether a disgusting, squalid appearance. Now and then women of the better class passed along, shrouded from head to foot in capacious black silk wrappers, while a narrow white veil, reaching from the top of the nose to the feet, by allowing the eyes only to be seen, produced a hideous ghostlike aspect. These portly dames, whose voluminous wrappings, and waddling gait, when on foot, give them the appearance of walking woolsacks, were often mounted astride on donkeys, their feet placed in short stirrups, and their awkward-looking, elevated saddles, as well as the backs of the animals they rode, covered with rich carpets. An attendant held the oridle, and one or two others followed, according to their rank.

Negroes of both sexes were frequently mingled with the crowd, some of them smartly dressed, with gay red turbans, while others looked as if devoted to a life of laborious slavery, or of abject destitution. The scene was now and then diversified by groups of picturesque beggars, often surrounded by numerous children, all nearly in a state of nudity, and ~~and~~ partially or totally blind;—these moved slowly along, constantly repeating, in a piteous tone, their importunate supplications.'—vol. i. p. 97.

The author visited Cleopatra's Needles and Pompey's Pillar, of course. He found the ice-plant growing luxuriantly in the sandy plain around the latter. He conjectures from the superior beauty of the shaft, that it was of ancient Egyptian workmanship, and that the base and capital have been subsequently executed by less competent artists. His remarks on the new canal to Cairo, are worthy of notice. Dates, groves, and gardens full of vines; orange and fig trees, and bananas, are seen everywhere along its banks, plainly showing that nothing but water is wanting to turn next of the sterile parts of the country into fertility. Just beyond, the lake Marcotis, now rendered salt, and all the country about it desolate, by the English having destroyed the mound during the war, and thus left it to the ingress of the sea. The inhabitants of these parts are wretchedly poor and oppressed; but a large revenue is collected by the bastinado, so that 'its rulers live in affluence.' It is singular that the state-clergy of our wretchedly poor and oppressed sister country, have never thought of the bastinado as a more humane method of enforcing the payment of tythes throughout Ireland, than the plan adopted at Rathcoormac.

The author had an audience of Mohammed Ali, and found him agreeable, communicative, and unceremonious.

'The pasha was simply dressed,—without either embroidery or jewels,—and wore a sabre plainly mounted in gold. His stature is rather under the middle size,—he does not appear to be more than sixty,—is plump, and well-looking,—with dark, restless, piercing eyes,—an animated countenance,—and a prepossessing manner. He is still fresh and unwrinkled; and although his beard is silvery, it adds only a certain dignity to his aspect, without giving him the appearance of age. His manner of speaking is quick and lively, he laughs often and heartily, and is quite free from that air of solemn dulness so characteristic of the Turks, and probably produced by the narcotic fumes they perpetually inhale.'—vol. i. p. 131.

The Pasha spoke freely of his own history, and of having raised himself from a low station, wherein he 'had not even an attendant to light his pipe;' of the affairs of Greece, and the conquest of Syria then progressing. He advised the travellers to adopt the Turkish costume, but assured them they might

proceed to Damascus with safety; was affable and somewhat jocose. Altogether the account of him conveys the idea of a man of no ordinary capabilities. But despotism and slavery seem to have become a 'second nature in the East.'

'That Egyptian civilisation advances is evidenced by the excessive taxation with which every thing tangible is loaded, so that a reward might safely be offered for the suggestion of a new and profitable impost; and as arbitrary power knows no bounds, the lord of the soil compels the cultivation of such articles, and such only, as will be most profitable to himself;—purchases the produce at a price fixed by his own agents,—shuts his warehouses till the state of the market is satisfactory—and then sells for his own individual advantage.—Only last year, when a general scarcity prevailed, and the pasha's granaries were overflowing, and corn was allowed to be issued until largely mixed with what was damaged and unwholesome; and this, retailed at an extravagant price, the people were compelled by necessity to consume.—Thus every thing finds its way into the storehouses and coffers of the "magnanimous" pasha—the proprietor of the soil—the monopolizing-merchant—the exclusive manufacturer—the possessor of all.'—vol. i. p. 186.

On the taking of Acre, certain bulletins were issued, describing in rather inflated language, the clemency of Ibrahim Pasha towards the fallen Abdallah, and it is agreeable to see, as the author remarks, that the orientals are beginning to consider such clemency something worthy of boast.

The author went to examine the ruins of ancient Alexandria, which are almost buried in sand, and stretch to an enormous extent beyond the walls of the modern city. Between the inner and outer walls are Arab huts, described as exactly like those which may be seen in the Panorama of Thebes painted by Mr. Burford, 'flat roofed, coated with mud, and huddled together like a cluster of swallow's nests.' The country around is all one melancholy waste of sand.

In the district of Lebanon, and there only, the use of bells is permitted to Christians. Mount Lebanon abounds in minerals; and coal is found in some parts. The stupidity or roguery of the guides prevented the author from taking the route towards the Cedars, but he has supplied some information from the diary of a friend who has given an account as dry and literal as Dr. Hogg could himself have rendered. There are seven large cedars 'considered coeval with Solomon;' and three hundred and forty-three in all. Eden is an hour's distance beyond, and is described by Dr. Hogg's friend as 'an enchanting spot.' 'Seven churches distinguish the town—pigs run in the streets—potatoes grow in the gardens—and bells toll to summon the people to devotion.'

The same scene was beheld, with very different eyes by Alphonse de Lamartine; and the description, devoid of his too frequent egotism, combines poetry and painting with truth.

'Lebanon bears a character which I never beheld in the Alps or Mount Taurus; it is a mixture of the imposing solemnity of lines and peaks, with grace of detail and variety of colour. The mountain is as solemn as its name; it presents the Alps under an Asiatic sky, plunging their airy summits into the deep serenity of a perpetual splendour. Its sides are lost, by the transparency of the air, in the air itself, of which they seem to form a part. Nothing is seen but the ambient reflection of the sun's rays which envelopes them, and their fiery-crests, blended with the purple morning clouds, and floating like inaccessible islands among the waves of the firmament. The chain unfolds itself to the eye through an extent of sixty leagues, from Cape Saidee (Sidon), to the environs of Latakia (the ancient Laodicea), where it declines, and allows Mount Taurus to strike its roots in the plains of Alexandria. At one moment we behold the chains of Lebanon take an almost perpendicular rise above the sea, with villages and large monasteries suspended in their precipices; at another, they are seen to turn off from the shore to form immense gulphs, leaving verdant traces or ridges of gilded sand between them and the waves, sails are ploughing these gulphs, and approach the numerous bays with which the coast is indented. In no other place does the sea assume so blue and sombre a hue; and although rarely free from swell, the broad-extended wave rolls in vast folds over sands, and reflects the mountains like a spotless mirror. The waves spread along the coast a dull, harmonious, yet confusing murmur, which rises to the region shaded by vines and cypress trees, and fills the open country with sonorous animation. On my left is the low coast of Beirut, exhibiting a series of small necks of land, decked with verdure, and only protected from the waves by a line of rocks and sands mostly covered with old ruins. Further on, hillocks of red sand, similar to that of the Egyptian deserts, project like a cape, and serve as a beacon to mariners.'—*De Lamartine's Pilgrimage to the Holy Land*, vol. i. p. 171.

The description of the ruins of Balbec occupies a considerable space in the narrative. During the journey to Damascus, the author paused to rest at the village of Seigoia, famous for its plantations of mulberry-trees. Not being able to gain admittance into any house, the party encamped in a ploughed field, and all the male population issued forth, and calmly seated themselves in a large circle round them, 'smoking their pipes with grave composure.' There is something ridiculous in the quiescence of this scene, and it excites pity to think they should all have been driven away by the whips of the sheik, because there appears no other reason why they should not be sitting there to this day.

Dr. Hogg, having given 'successful physic' to various individuals, was finally obliged to depart rather abruptly, lest 'the contents of the medicine chest should be taken by storm.' He describes all the country round Zibdany as 'highly cultivated and picturesque,' fine pastures, rivers, plentiful crops and much cattle. On the left of the river Barrada, which flows onward to Damascus, he discovered a high rocky hill, with steps hewn in it, which he conjectures to have been the ancient necropolis of Abila. 'After travelling alternately over barren heights and through rich valleys full of vineyards, orchards, and clear streams gushing from the sides of the hill, he again found himself surrounded by 'a dreary waste without a sign of vegetation, varied only by irregular masses of rock,' and from an elevation of about a thousand feet, Damascus is seen below, 'at the distance of a league from its base.'

'A long line of buildings, of unequal breadth, intermingled with innumerable minarets, groups of small domes, and other elevated structures, rising through rich masses of foliage, that seemed to throw a delicious depth of shade over the whole, here promised to realize every preconceived notion of oriental beauty and splendour.'—vol. i. p. 309.

Dr. Hogg and his party entered Damascus by a broad paved road, passing through a gate where Egyptian troops were stationed. They traversed the city during half an hour, nearly in a straight line, through streets of shops and a crowded population. They were dressed in the Turkish costume, according to the advice they had received from the Pasha; but their European aspect excited attention, though no animosity. Alighting at a French convent, they were admitted as soon as its inmates had ascertained that they were 'innocent of missionary merchandise,' and did not bring bibles 'to disturb the flock.'

'Damascus, the capital of a kingdom, and the seat of royalty from the earliest ages, was successively overcome by the Israelites, Assyrians, and other powerful nations of the East. Syria, severed at the death of the Macedonian conqueror from his vast dominions, was usurped by the "victorious" Seleucus—long possessed amidst many commotions by the Seleucids—and on the expulsion of that dynasty,—a century before the Christian era,—Tigranes, king of Armenia, mounted the vacant throne.'—vol. ii. p. 6.

Damascus was subsequently conquered by Pompey, splendidly adorned by the Romans, and eventually became the seat of a Christian Patriarch. The stately edifice dedicated to John the Baptist 'still exists as a Mohammedan mosque.' The city was next conquered by the Saracens, under Abou Bekr, after a six months siege, A.D. 634. and afterwards became the seat of the

Omniade Khalifs, then of the Abassides, then of an independent Khalifate. It was unsuccessfully besieged by the crusaders under Baldwin, the event being distinguished by the first appearance of the youthful Saladin; was taken by Timour the Tartar in 1400, and finally, with all the adjacent countries, by the Turks under Sultan Selim in 1516. It recently submitted to Ibrahim Pasha, previously to which it was almost in a state of anarchy. In Damascus the author received a visit from Mons. Baudin, a French gentleman, who was at that time the only European commercial agent allowed to establish himself in the city. Two other agents have since been permitted to reside there. Mr. Farren, the British Consul General in Syria, 'never ventured to set his foot within the wall' until the year 1883; so much animosity was manifested against his visit. Damascus is notoriously bigoted and untractable. There were about eighteen or twenty thousand Christians in the city, who were subject to great indignities and oppressions. These Christians, however, have bigotry of their own, and the bibles and tracts of the American missionaries were publicly burnt in the court of the Franciscan convent, in presence of the assembled congregation. Arabic literature was once much cultivated in Damascus, and Dr. Hogg thinks that many curious books 'may eventually be discovered, and find their way to Europe, when the liberal policy of Mohammed Ali is established.'

Oriental writers, among other poetical figures of speech, have termed Damascus 'a pearl set in emeralds.' Dr. Hogg does not see it in such a light. His account of 'things as they are,' has however every appearance of truth. The gardens extend three or four miles in some directions, filled with olive, fig, orange, and apricot trees, and walnut trees of prodigious size; but not 'a day's journey every way,' as reported. He also doubts the statement of Eden having been situated in the vicinity; that Adam was made of its red earth; that the cave shown, was the one wherein Abel was killed; and that Noah was buried in the tomb pointed out.

There were no manufactories except for weaving silk and cotton. As to the famous Damascus sword-blades, the art is lost. The situation of the city, within little more than forty miles from the sea, is admirably adapted 'as the entrepôt' for extensive commerce between England and the Asiatic states. A note at the end of the second volume announces that trading has commenced between Damascus and Liverpool. Sponges, galls, silk, madder, gums, and opium, are exchanged for muslins, cotton yarns, and white or printed goods. Silk, cotton, and coffee, might be produced and cultivated to an immense extent

in Damascus; and English earthenware, cut glass, coloured crapes, and cutlery, would find a ready sale, if 'the taste of the different classes of natives, which never varies, was first ascertained.' This proviso is evidently important to be remembered. The population is estimated at 140,000 or 150,000.

Leaving Damascus, Dr. Hogg eventually arrives among the Druses, and gives a good account of this singular people. He visited Lady Hester Stanhope at her secluded dwelling among the wilds of Lebanon, near Saidbe; and the interview and other circumstances are altogether very interesting. Saidee, the ancient Sidon, and Soor, the ancient Tyre, are surrounded by so many grand associations, that the painful picture given of their present forlorn condition seems strange, and impossible to identify with the scene of former glories.

The account given of Lady Stanhope by De Lamartine, is far more romantic than that of Dr. Hogg. Both are evidently true, and confirm each other in many respects; but the different descriptions resulting from different impressions, is curious. With Dr. Hogg, (though as a professional man he may have suppressed other things), the lady only throws out hints of possessing the secret of the ancient Tyrian dyes and Damascus blades; with De Lamartine she is an astrologer, a mystic in religion, and almost a magician. Besides her successful experiments in astrological divination, she showed the latter two beautiful Arabian mares, one of which was to bear the coming Messiah into Jerusalem; the other, he conjectured, was for her ladyship to ride by his side. The conclusion of a philosopher would probably be, that a long period of solitude in such a place, had given her imagination an over-wrought impulse on a particular subject. There is not the same excuse for De Lamartine's preternatural fancies. Poetical vanity has made him strive to write up to the title of his 'Pilgrimage,' and become the witness of prophecies accomplished. He prepares the way by objecting, that he does not see the eagles and vultures descending unceasingly upon the ruins of Tyre, as prophesied by Ezekiel; when suddenly he descries, perched on a distant rock, five figures, which he at first takes for 'Bedouin Arabs clothed in their sacks of black goat's hair.' They were five eagles.

'I could not cease,' proceeds De Lamartine, 'from contemplating this prophecy in action—this wonderful fulfilment of the divine menaces, of which chance had rendered us witnesses. Never had anything more supernatural struck my eyes, [probably not,] or rivetted my mind; and it required an effort of reason not to see, behind these five gigantic eagles, the great and terrible figure of the poet of

vengeance—of Ezekiel—rising above them, and pointing out to them with eye and hand, the city which God had given them as a prey—while the wind of divine wrath agitated the flowing beard of the prophet, and the fire of celestial indignation sparkled in his eyes.—*De Lamartine's Pilgrimage to the Holy Land*, vol. i. p. 302.

The advisableness of making a parade of any individual instance of accomplished prophecy, is much weakened by the fact, that the prophets, false and true, cursed everybody. 'Our dragoons in Flanders were nothing to them.' They poured out denunciations like water, upon all and every thing, and in all the combinations and permutations that can be rung upon the changes of worldly evil. They cursed by the *Gazetteer*, to the extent of what the geographical knowledge of their day permitted. And the consequence was, that no vicissitude of human life, no change of fortune public or private, no flight of locusts or failure of the former or the latter rain, no movement in advance among the tribes which wait on desolation, from the vulture to the spider, could occur without having been plenarily included within the sweeping provisions of their execration.

Dr. Hogg's description of Jerusalem induces still more desolate and conflicting feelings, than 'the fall of Tyre and Sidon.' It is not the old Jerusalem, but an Arab town with narrow streets and gloomy houses. The description coincides in all respects with the panorama now exhibiting in London. The author's first impressions on approaching it, are well conveyed, and the picture is no doubt a faithful one.

'Beneath these walls, where Solomon had reigned in all his glory, contending hosts had often met in deadly conflict—all had again and again been involved in indiscriminate destruction—the rose of Sharon and the lily of the field had been alike trodden down. Jerusalem, that had once "crowned the mountains like a diadem," was now stretched at our feet—widowed—disconsolate—mourning in sackcloth and ashes. Her borders naked and solitary—a few miserable huts and Mohammedan tombs only visible in the distance—the whole surface around parched and stony—with scarcely a tree or a blade of grass to relieve the dazzling dryness of the waste. The sources of fruitfulness seemed to have shrunk beneath the withering influence of neglect—the germs of fertility to have been blighted by a desolating blast. Scattered tufts of foliage and verdure on the Mount of Olives, alone gave hope that sentence of barrenness had not been irrevocably passed upon a devoted land.'—vol. ii. p. 201.

Chapter X. contains a historical account of Jerusalem. It was finally 'annexed to the Egyptian government,' and has been held in undisturbed vassalage by the descendants of Sultan Selim, until the recent successful campaign of Ibrahim Pasha in Syria.

There are some olive trees still flourishing on the hill of the place of ascension; and most of the declivities are cultivated. 'On the top a dense vapour is seen rising from the Dead Sea, beyond which are indistinct lines of broken heights.'

'The various stages of descent afford fine views of the interior of the town. A massive wall crowns the summit of the wild, rocky ravine, by which it is bounded, and round it are the scattered tombs of a Mohammedan cemetery. In the centre, the Golden Gate, no longer used, presents, in its double arches and fantastic ornaments, a specimen of the tasteless style of the decline of art. Immediately within the wall, in the midst of a spacious area, sprinkled with trees and small grotesque buildings, the stately mosque of Omar elevates its airy cupola and lofty crescent in fine contrast with El Aksa, its more cumbrous companion: 'The full extent of the city, rising on several small eminences, is seen beyond.' Irregular, narrow streets, of low crumbling houses with terraced roofs, dotted with small cones,—detached masses of ruins,—the ponderous domes of the church of the Holy Sepulchre, and the fore-recess called the tower of David,—mingled with dilapidated minarets, often resembling the towers of Christian churches,—form together a dreary but interesting picture. A series of naked inequalities stretch away to the left, where the ravine widens into the valley of Jehosaphat—its whole expanse paved with rude memorials of the graves of Jews, who congregate from all countries to die at Jerusalem, that their remains may moulder beneath its sacred soil.'

'The steep descent from Mount Zion, now partially cultivated, every where presents ancient foundations and broken cisterns; and numerous well-wrought excavations on the craggy sides of the valley, near the village of Siloa, attest by the remains of Hebrew and Greek inscriptions, that this was the ancient necropolis of the city. The Jews' quarter, situated between Mount Zion and Mount Moriah, encumbered with rubbish, looks desolate and neglected.'—vol. ii. p. 262.

Dr. Hogg 'beseeches' his friend and the reader to place little trust in Herodotus concerning Egypt. He thinks 'the Greek sage must have fallen in with the nurse of Pharaoh's daughter, and gravely recorded all the tales of wonder she related.' The writer has a natural antipathy to eastern hyperbole; but in speaking of Thebes, he is carried beyond himself into the following conjecture.—

'Indeed, after having seen Thebes, with its gateways forty feet high, its colossal figures of proportionate magnitude, its forest of stupendous columns, and its avenues of enormous sphinxes two miles in length,—what other conclusion can be formed than that this ancient city was once the metropolis of the Titans,—and that the temple of Dendera was the favourite toy of the royal children, kept

under glass, and only exhibited on Sundays and holidays.'—vol. i. p. 308.

The stupendous ruins of the temples of Karnak and Luxor, are briefly mentioned. Beyond Philoe, Dr. Hogg was disappointed in the crocodiles. Nevertheless—

'Occasionally we saw groups of these monsters basking on the low islands as we passed, and sometimes found an opportunity of giving them a warm salute by which to remember us. Flocks of birds were often quietly stationed near these unwieldy reptiles;—perhaps those said to perform the friendly office of picking their teeth, and of keeping their mouths and throats free from leeches, but I never saw them actually engaged in these amiable attentions.'—vol. ii. p. 327.

The ancient story upon this point, is not so unreasonable as might be thought. In India it is common to see the *Mina*, a species of starling, picking the insects, a kind of overgrown tick, from the nostrils of the oxen as they feed in the field; and an ox may be observed approaching its eye deliberately to the ground, by holding its head on one side, to enable the bird to take an insect from among the hairs of the eye-lid, which is performed with the caution of an experienced operator. There appears no reason why the tiger or the crocodile, should not have recourse to similar aid, on similar necessity.

The author's route was as follows. He left Naples, April 27, 1832; touched at Capri, Messina, Catania, and Syracuse;—Malta, Alexandria, Tripoli in Syria; across Lebanon, by Eden, the Cedars, valley of L'ainoony, temple of Alphaca, the Bekaa, to Balbec;—Damascus, crossing Anti-Lebanon, by Sergoia, Zibdany, and Zook; Saidee (Sidon) crossing Lebanon again by the country of the Druses; Soor (Tyre) by Acre, Jaffa, Ramla (the ancient Arimathea), Jerusalem;—Damietta on the Nile, Alexandria, Dendera, ascending the Nile to Upper Egypt;—Thebes, island of Philoe, Cairo, and Alexandria, arriving there finally in the month of January 1833.

The vanity of tourists and writers of travels, generally induces them to prefix a portrait of themselves in their foreign dress, as if the reader was likely to care a jot about their toggery and turbans; but Dr. Hogg's good sense has preferred giving coloured plates of Balbec and Damascus, which are well executed, and characteristic of the forms of the places and the 'warm tone' of the climate. It would have been well, however, if he would have spelled 'mosque' like his forefathers; because the spelling is parcel of the derivation, which is rather curious. The

origin is *mesjid*, in Arabic 'place of worship;' whence successively *meschita* (the *ch* pronounced as in *cheese*), *mesquita*, *mosquita*, *mosqua*, *mosque*.

ART. III.—*Of what Use is the House of Lords?* By J. A. Roebuck, M.P.
—Longley; London. 1835.

SIR John Fortescue, Chief Justice of the King's Bench under Henry the Sixth, in his treatise *De Laudibus Legum Angliæ*, thus addresses the young Prince of Wales during his retreat in France. 'A king of England cannot at his pleasure make any alteration in the laws of the land, for the nature of his Government is not only regal but political. Had it been merely regal, he would have a power to make what innovations or alterations he pleased in the laws of the kingdom, to impose tallages and other hardships upon the people whether they would or no, without their consent, which sort of Government the civil laws point out when they declare *Quod principi placuit legis habet vigorem*. But it is much otherwise with a king whose Government is political, because he can neither make any alteration or change in the laws of the realm without the consent of the subjects, nor burthen them against their wills with strange impositions, so that a people governed by such laws as are made by their own consent and approbation enjoy their properties securely, and without the hazard of being deprived of them, either by the king or any other. Rejoice, therefore, my good Prince, that such is the law of the kingdom to which you are to inherit, because it will afford both to yourself and subjects the greatest security and satisfaction.' He goes on to declare emphatically that political Governments were instituted by the people and for the good of the people; quotes St. Augustine for confirmation of a doctrine at that time so startling; and gravely concludes his argument by deducing the origin of the English kingdom from Brute and the celebrated Trojans.

But let it be supposed, for a moment, that the Judge and Chancellor had caught a little of the affatus of prophecy, and proceeded as follows:—'Nathless, my good Prince, although matters in this respect be as before stated, and the king of the English realms hath his delegation of power from the people, to exercise the same for their weal and benefit, yet there doth exist in the heart of the said realms a body of barons temporal and spiritual, invested with high powers for which they are and must be altogether irresponsible, in the exercise of which they may prevent the enactment of the most wholesome laws, maintain the strangest impositions, inflict the greatest hardships, and conserve

all manner of abuses, so as withal even to thwart the Government of the King himself, and defy the wishes of his subjects lawfully expressed through their Representatives in Parliament assembled; a prerogative, or privilege, derived by civilians from the rights of Hector, Pandarus and others, in opposing King Priam;—the constitutional sage may be conceived recoiling from such fearful predictions, and *volens volens* recommending to his pupil a radical abatement of the nuisance.

The histories of aristocracies will confirm and substantiate this view of the case; and if there were time or space, an appeal might be made to the annals of every nation in ancient, mediæval, or modern lore. What were the perpetual and disastrous confusions at Rome from Romulus to the Licinian Rogations, but so many struggles between the patrician and plebeian orders? And after the period which witnessed what have been justly called the Roman Reform Bills, what was it but the spirit of an overbearing oligarchy, which demoralized the multitude, crushed the Gracchi, and sowed the seeds of civil war darkening into military despotism? And when the imperial yoke had imposed its weight alike upon all classes, from what fountain flowed the luxury and vice both of the capital and provinces? Reference may be made to the indignant pages of every satirist and historian, from Tacitus and Juvenal to Ammianus Marcellinus, for the answer; and it will be found, that the system of *caste* operated in the west, as well as the east, to let in that deluge of profligacy and meanness, which polluted Christianity itself, and neutralized its counteracting influences. So also when the hive of the north had emptied its swarms upon the empire, and feudalism had established itself more or less from Scandinavia to the Euphrates, it is discovered that everywhere the aristocratic principle wielded an iron mace against the social happiness of its subjects; that the few were always grinding down the many to the very extremity of endurance; and that little or no alleviation is discernible, until the formation of the middle classes began to turn the tables upon their oppressors.* In Spain, it drove a brave and polished people to acquiesce in the usurpations of their Austrian princes, as being evils less dreadful, or at least more endurable, than the exactions of numerous grandees, presenting as many petty potentates as there were castles in the country. In Italy, it furnishes some of the blackest memorials of depravity to the philosophic investigator of the middle ages. In France, its operation may be traced, from the contest of the twelve great vassalties with the crown, until Louis XI. founded his absolute monarchy, and Francis I. substituted the *grands seigneurs*.

whom Richelieu succeeded in, subjugating altogether to the court. And when this territorial nobility had multiplied into the fifty thousand aristocrats of the Orleans Regency, there can be no difficulty in perceiving the real foundations of that mine of iniquity, which, ignited by an electric Revolution, overthrew the whole framework of society, and brought a reign of terror before the face of Europe. In Germany or Holland, in Venice or the Swiss cantons, Denmark, Sweden, or our own country, it will be seen that the aristocratic element has been in each constitution, the prominent source of suffering and disaster.

No instance, however, can be more striking than the history of the British Peerage. It had better be taken up briefly from the Great Charter of John, when the mailed barons of England secured some popular rights, because they were identified with their own. Whenever it was otherwise, they cared for none but themselves; as in the case of the Provisions of Oxford in 1260, when twenty-four of their body, under Leicester, usurped the executive, and endeavoured to suppress Henry II's judges of assize; or their monstrous Declaration of parliamentary law in the 11th of Richard II. It is evident from one passage, at least, in the Charter, that then all tenants in chief could claim a summons to Parliament, the greater barons by particular writs, the lesser through one directed to their sheriff. According to a nameless authority quoted in Camden, the latter lost their parliamentary rights under a statute made after the battle of Evesham; but the principle of excluding them had probably found its way into practice at an earlier period. Simon de Montfort summoned only twenty-three temporal Peers to his famous parliament; and in A. D. 1255, Matthew Paris mentions the Barons as complaining that many of their number had not received their writs. Selden supposes that the law of exclusion was enacted about the commencement of Henry's reign. It is upon the whole impossible to settle this point with any satisfactory accuracy, amidst the confusion of memorials, the prevalent irregularities of practice, and the ignorance of the times. In the lapse of years it merely becomes more and more apparent, that the summons from the crown was considered an indispensable preliminary to the service of a tenant in chief as a Lord of Parliament. And as tenure without summons failed to constitute any person a temporal peer; so it was maintained, that no spiritual person ought to have been summoned without baronial tenure. For this reason, out of one hundred and twenty-two abbots, and forty-one priors, who on different occasions had sitten in Parliament, only twenty-five of the first, and two of the last, were constantly called upon; the names of forty occur only

once, and those of thirty-six others not oftener than five times, the repetition of the writs having most likely ceased through absence of the necessary tenure. Here then the Upper House is seen assuming a palpable and settled form; while ancient records enable us to trace its growing extent, the privileges with which its members contrived to get invested, and the manner in which those privileges were exercised.

It has been remarked, that the number of temporal Peers summoned by writ to the Plantagenet Parliaments, varied not a little. Fifty-three names appear in A. D. 1454, just before the grand contest between the White and Red Roses. Civil warfare, either by the sword in battle or judicial processes afterwards, thinned the ranks of the nobility on both sides; and Henry VII. is found calling only twenty-nine to his first Assembly. His subsequent creations exhibited his natural caution, and never augmented the Peerage so much above forty. Henry VIII. summoned on no occasion more than fifty-one; and from fifty to sixty formed about the average during the 16th century. James I. commenced with eighty-two, and closed with ninety-six. His son Charles summoned one hundred and seventeen to the Parliament of 1628; and two more to that of November 1640. Sales and royal distresses, under the Commonwealth, made further augmentations; and one hundred and thirty-nine hailed the Restoration. Since that period, through the favour of monarchs, the interests of ministers, the reckless demands of mistresses, the fluctuating operations of parties, and the Scotch and Irish Unions, the Peerage of the three kingdoms has been nearly quadrupled. Hatley, under Anne, made twelve at once, to carry the peace of Utrecht and keep himself in power. Sunderland on the other hand, under George I. introduced his famous measure to limit the House of Lords, after a few additions to the existing number. It was even denied by some, that the Crown had originally possessed the prerogative of making Peers at all. The Bill, as is well known, fell to the ground, being rejected by the Commons after having passed the Lords, whose interests were obviously concerned in strengthening their monopoly. Had it become the law of the land, Great Britain would have witnessed a sort of Venetian oligarchy, more replete with self-importance, and breaking out into more galling pretensions, than even the present nobility; but there would also have been hope that the people would have sooner taken matters into their own hands, and have shaken off such an 'Old Man of the Sea,' in the middle of the last, instead of the current century. Through the long leaden reign of Toryism, from the accession of George III. to the death of George IV., Lords such as are seen in the present day,

sprang up like mushrooms. The warm precincts of the Court came to be a regular hot-bed of corruption. Men of certain classes had only to bury their principles in this dunghill, and a crop of coronets was the result. Marriages multiplied the younger scions; and comprehending, in the catalogue those who write themselves Honourable and Right Honourable as well as those who are Noble and Most Noble, there may be from three to four thousand individuals within the gilded pale,—an exclusive caste for the most part, and one which its leaders are now obstinately placing in a position of direct antagonism to their fellow citizens.

The privileges of this favoured body were numerous and important from a very early period. 'The original Constitution of England,' says Hallam, 'was highly aristocratical. The Peers of this realm when summoned to Parliament (and on such occasions every Peer was entitled to his writ) were the necessary counsellors and coadjutors of the king in all the functions that appertain to a government. In granting money for the public service, in changing, by permanent Statute, the course of the Common-Law, they could act in conjunction with the knights, citizens, and burgesses, of the lower House of Parliament. In redress of grievances, whether of so private a nature as to affect only single persons, or extending to a county or hundred, whether proceeding from the injustice of public officers or of powerful individuals, whether demanding punishment as crimes against the State or merely restitution and damages to the injured party, the Lords assembled in Parliament were competent, as we find in our records, to exercise the same high powers, if they were not even more extensive and remedial, as the King's ordinary Council composed of his great Officers, his Judges, and perhaps some Peers, was wont to do in the intervals of Parliament. These two, the Lords and the Privy Council, seem to have formed in the Session one body or great Council, wherein the latter had originally right of suffrage along with the former. In this judicial and executive authority the Commons had at no time any more pretence to interfere, than the Council or the Lords by themselves had to make ordinances, at least of a general and permanent nature, which should bind the subject to obedience. At the beginning of every Parliament, numerous petitions were presented to the Lords, or to the King and Lords (since he was frequently there in person and always presumed to be so), complaining of civil injuries and abuses of power. These were generally indorsed by appointed receivers of petitions, and returned by them to the proper Court, where relief was to be sought. The form of

appointing receivers and tryers of petitions, although intermitted during the reign of William III, was revived afterwards, and not finally discontinued without a debate in the House and a division in 1740.

The ultimate jurisdiction of the House of Lords, either by removing into it causes commenced in the lower Courts, or by writ of error complaining of a judgment given therein, seems to have been as ancient, and founded on the same principle of a paramount judicial authority delegated by the Crown, as that which they exercised upon original petitions. It is to be observed that the Council or Star Chamber did not pretend to any direct jurisdiction of this nature; no record was ever removed thither upon assignment of error in an inferior Court. But after the first part of the 15th century, there was a considerable interval during which this appellate jurisdiction of the Lords seems to have gone into disuse, though probably known to be legal. They began again about 1580 to receive writs of error from the Court of King's Bench; though for forty years more the instances were by no means numerous. But the Statute passed in 1585, constituting the Court of Exchequer Chamber as an intermediate tribunal of appeal between the King's Bench and the Parliament, recognizes the jurisdiction of the latter, that is of the House of Lords, in the strongest terms. To this power therefore of determining in the last resort upon writs of error from the Courts of Common Law, no objection could possibly be maintained.

Nor is it any fault of the House of Lords that it possesses no original jurisdiction in civil suits; for both before and after the Restoration, it presumed to claim it. The case of *Thomas Skinner* in 1668 at last brought the two Houses into open collision on the subject. This gentleman, before any restriction existed upon the trade with India, had sailed thither in a vessel of his own, purchased an island of a native Prince, and commenced a sort of factory for traffic. Here he was dispossessed, plundered, and personally maltreated by the agents of the East-India Company. Skinner applied for redress to his Sovereign, who after endeavouring to settle the matter in a Committee of the Privy Council, transmitted the affair to the House of Lords. The Peers proceeded forthwith to call upon the Company for an answer to the allegations brought against them. After considerable legal skirmishing, in which the defendants pleaded against the Lords' jurisdiction, and petitioned the Commons on the matter, the Peers gave judgment in favour of the plaintiff with damages to the extent of 5,000*l*. The lower House however resolved that the Lords in taking cognizance of an original

complaint, and that relievable in the ordinary course of law, had acted in an unconstitutional manner; upon which the Peers, retorted, 'That the House of Commons entertaining the scandalous petition of the East-India Company against the Lords committed a breach of the privileges of the Peers, whose award in the case of Thomas Skinner is agreeable to the laws of the land, well warranted by the customs of Parliament, and justified by many precedents ancient and modern.' The Commons voted Skinner into custody; and the Lords paid a similar compliment to Sir Samuel Barnardiston, Chairman of the Company, and a Member of Parliament, who was ordered moreover to pay a fine of 500*l*. Barebones and his motley senate must have been remembered with some regret, at moments when the inconvenience of a double Chamber had become so strikingly apparent. The Crown strove hard to cool the quarrel by successive adjournments and prorogations, which lasted fifteen months, and during that long period of course impeded all public business. The end of the ill was an *en suite* from the Journal of both Houses of all that passed. Yet with regard to another branch of the Lords' ultimate jurisdiction, that of hearing appeals from Courts of Equity, they have proved more successful, although upon the high testimony of Sir Matthew Hale and his editor Haigraeve there exist no precedents for it of greater antiquity than the 16th or at furthest the 3rd year of Charles I. The case of Shirley against Sir John Fagg, besides two other instances in 1675, revived a scene in most respects similar to the former. In vain was it observed in a conference, that the Commons could not find by Magna Charta or otherwise, that their Lordships were entitled to hear appeals from Chancery. In vain did they afterwards resolve, that no such appeal should lie in future, and that 'whosoever shall solicit, plead, or prosecute any appeal against any Commoner of England, from any Court of Equity, before the House of Lords, shall be deemed and taken a betrayer of the rights and liberties of the Commons of England and shall be proceeded against accordingly,' which vote the Lords resolved next day to be illegal, unparliamentary, and tending to a dissolution of the government. Victory remained with the House of Lords, and Mr. Roebuck, in one of his pamphlets standing at the head of this article, has thus described the result —

'The House of Lords, as is well known, is now the ultimate Court of Appeal from decisions in inferior Courts respecting property. What is not generally known, is the mode in which noble Lords conduct themselves, while sitting as Judges in such suits.'

'The appeal in reality is an appeal to some one Lord, who happens

to be a Judge, or who has been one. This Law-Lord, as he is termed, sits assisted by some half-dozen other Lords. This half-dozen is continually fluctuating, so that the actual result is as follows:—Lord A, the legal Lord, sits the first day, assisted by Lords B, C, and D; the second day, by Lords E, F, and G; the third day, by Lords H, J, and K; and so on through the whole alphabet;—and at last—Lord A, gives judgment, assisted by Lords X, Y, and Z. As this ultimate tribunal of appeal is now constituted, one man really decides; but from his being nominally joined by half-a-dozen others, the decision that he gives is called that of the House of Lords; and the necessary consequence is, that he decides wholly without responsibility. The House is responsible to no one; neither is he responsible to the House—and public opinion cannot reach him, as his judgment is shared by the House at large. It would be difficult for human ingenuity to frame a worse Court of Appeal.

A curious illustration of these remarks is published in another pamphlet, as taken from the Morning Chronicle. Lord Brougham was about to give judgment in the case of *Warrender versus Warrender*, when the Earl of Falmouth requested him to delay it, and a conversation occurred, in which Lord Brougham remarked, ‘that he was chafged with giving a hasty and unfair judgment in a case which had undergone the most deliberate hearing, and careful consideration;—a case in which, if any other persons were concerned, judgment would probably have been given three months before.’ After some other remarks, the following dialogue ensued.—

‘Lord Brougham. ‘I will now ask the noble Earl, the brother of the present appellant, whether he has not spoken to other learned Lords, with a view to interest them in the result of this case? And in particular I will ask, has he not applied to Lord Abinger, the Chief Baron of the Court of Exchequer?’ [*oh, oh.*]

‘The Earl of Falmouth solemnly declared, that he had never done what the noble and learned Lord imputed to him. He had never attempted to influence any Peer with respect to the merits of this appeal. He had never canvassed the noble Lord, in any way that should justify such a charge. He had only asked noble Lords to attend this judgment under a view of the feelings already explained.’

‘Lord Brougham said he understood the request to Lord Abinger and others, was to be present at a re-hearing.’

‘Earl of Falmouth. ‘No—not at a re-hearing, but at the judgment.’

‘Lord Brougham said, that the effect would be the same.’

‘The Earl of Falmouth stated his anxiety that there should be a judgment with full notice, so that many of their Lordships now out of town, who had formerly attended, should have an opportunity of being present.’

‘Lord Brougham said, that he believed Lord Melville was the only Peer who had attended throughout the appeal, and had entered into it sufficiently to take part in the judgment.’

‘ After an attempt to give judgment, the wish of Lord Falmouth prevailed, and judgment was postponed.’

Now shall it be said, after this, that in England there is not one sort of law and justice for the rich and noble, and another sort for the middle classes and the poor? Has not the House of Lords, by a usurpation of hundreds of years, been, constituted a Court of Appeal, in which external parade and magnificence are in exact proportion to its internal inconvenience and deficiency? Within the limits of any other tribunal would a suitor dare to solicit a Judge to sit on the bench in his own cause, or that of any one nearly related to him? Nothing shall be said of the delay of justice manifested in this patrician affair, contrary to the earliest and fundamental principles of British jurisprudence. What is affirmed is, that the ultimate appeal in these kingdoms, as to matters of property, lies to those who ought not to be judges. Many of them are immersed in vices such as would extinguish the most rising genius of the age. Many of them are pensioned paupers, pledged partisans, interested in the maintenance of abuses, proud and prejudiced even to a proverb, and in talent below mediocrity. Caligula made his horse a Consul; perhaps a less injurious appointment, than that which renders a narrow-minded and irresponsible oligarchy lords paramount of the fortunes of their countrymen.

Such then are the judicial privileges of the House of Lords; look next for an instant at their legislative powers. The theory of their political existence is, that they constitute a class between the throne and the people, responsible to neither the one nor the other; that their assent is to be essential to every enactment before it can become the law of the land; and that by hereditary descent, their immunities are to be perpetuated without any limit, except cessation of heirs or an attainder. In this way, the eldest son, brother, or cousin of any deceased Peer, although a fool or a knave, a gambler, a pauper, or an absentee, becomes an hereditary legislator. His birth-right bids defiance alike to reason and justice. So long as he is not a lunatic in the custody of the Court of Chancery; so long as his crimes stop short of downright heading, banishment, or the treadmill; it is beyond the reach of the sovereign of these kingdoms, or of the millions of his subjects, to snatch away a dangerous weapon from hands which may stab the country to its heart. How small was the majority, that saved the nation in the Revolution of William III, or at the accession of the House of Hanover. In our own times, an unreformed House of Commons was carried to the brink of a precipice, and all but plunged into the abyss. But on all these occasions, the real

maniac was the aristocracy, acting through the instrumentality of a nominally popular and responsible chamber, of which the aristocracy were the real workers. †

Let it now be seen how the privileges of the aristocracy have been exercised for the last few centuries. It has frequently been observed, that the spiritual were more numerous than the temporal Peers previous to the Reformation. Their larger numbers, as well as their superior talents and consequent influence, enabled them to preserve the Church from various reforms which the Commons would fain have effected under Richard II. and Henry the IV. A dissolution of the monasteries appeared necessary, in the first place, to relieve a vast Ecclesiastical Corporation from its golden plethora, and secondly, by an extensive suppression of mitres, to paralyze papal opposition to the new views in the Upper House of Parliament. Henry VIII and his Peers therefore dexterously enough used an imperfect profession of Protestantism for their own private purposes. But this gave an entirely aristocratic complexion to the progress of the Reformation in the British islands. Cranmer allied himself with Somerset. The wealth of abbacies and priories escheated to the Crown, and was shared among greedy courtiers. Every bishopric was deprived of its richest plumage and fattest spoil. Under a technical jargon of fines, alienations, long leases, and exchanges, the lean king devoured the fair and fleshy ones, yet looked nothing the better for the meal. The first of Edward VI. intimates in its preamble, that the forfeited ecclesiastical revenues should be applied towards the erection of schools, the support of the universities, and the sustentation of the poor. These were for the most part lying words. The sees of Exeter and Landaff, once very opulent, shrank to a state of poverty approaching the apostolic standard. Canterbury (the Toledo of England), London, Winchester, and Litchfield, were shaken in the same bag of corruption, and emerged from the grasp of their noble and avaricious reformers, not a little dimmed and impaired. The last-mentioned diocese lost the chief portion of its lands to make an estate for Lord Paget. Even the Protector pulled down churches to erect Somerset-House with the materials, and was only allured from a similar reformation of Westminster Abbey, by the beaver-like magnanimity of its Chapter, who gratified his rapacity by surrendering an enormous slice of their property. Peers had thus good reason for standing by the new order of things; and whenever ecclesiastical murmurs grew loud, they were silenced with visions of Smithfield, while broad hints reminded both protestants and their

preachers, that the aggrandisement of the secular magnates alone intervened between the 'liberty of prophesying' and the flames. By the time that parties fairly understood one another, the Church of England found she had only exchanged her ancient mantle for a more modern garment; of which the scarlet might be less bright, and the border narrowed; but the ring of an unholy marriage with the State was upon her finger; a temporal potentate constituted her head in place of the Pope of Rome; and instead of cardinals, there were prelates and nobles in an all-powerful House of Lords, to support the Defender of the Faith.

Yet it is the institution rather than the members, against which an impeachment is to be brought. It would have been folly to have expected the peerage to act otherwise than it has done. Since the Norman Conquest, a set of men have been severed in this country from their fellow-men. They have been raised to high places, addressed with high titles, invested with peculiar privileges, and armed with dangerous powers. From the cradle to the grave, they have been taught the tone of command; that the world was made for them; or at least that they alone were the upper classes of society. Now what other results could follow; than those which have followed? As is the principle, so must be the practice. A system based upon exclusiveness, was never likely to engender an attachment to the interests of the community.

The Barons of the realm always fancied themselves little kings; but about the middle of the fifteenth century, there appeared striking symptoms of their wish to play the game of monarchy on a larger scale. In the thirty-second year of Henry VI, that sovereign fell into a state of mental derangement; and twelve Peers went, as a deputation from the Parliament at Westminster, that they might have an interview with the royal patient at Windsor Castle. The first regency or protectorate of the Duke of York ensued; he being elected to his office by the Peers alone, although subsequently an Act was passed by both Houses to confirm this procedure. After the King's recovery, followed by a relapse, the Duke of York again became Protector; and it appears from the whole transaction, that the Upper House assumed throughout an exclusive right of electing him; while as a mere matter of course, the Commons' assent was introduced into the formal act of ratification. When the Duke was chosen on the first occasion, his nomination ran, that he 'was to be Defender of the realm of England during the King's pleasure;' but on the second occasion, in lieu of the last words, the Duke was to exercise his functions 'until he

should be discharged thereof by the Lords in Parliament.' Some have imagined, that the Lords were moved in this affair by stern unbiassed regard to the House of Lancaster, and deep reverence for the constitution. Yet it would seem upon closer inspection, that both the regard and the reverence centred in sheer selfishness. Richard at that crisis was a popular idol, with a mass of his partisans in the House of Commons. Thirty-two temporal Peers, among whom were the Staffords, the Percys, the Hollands, the Veres, and the Courtenays, drew their swords under the banners of the Red Rose in the Coventry Parliament of 1460, on behalf of an idiot, whom their own voices had declared incapable of reigning, clearly because his claim had become identified with their own immunities. The Yorkist Princes had incurred their distrust and hatred, just in proportion as Richard and Edward had appealed to the middle and lower classes generally, rather than to the nobles, for support. Edward IV. dealt with them accordingly; although by a reversal of their attainders, he restored many of the families of his opponents. No more opportunities occurred, in those early ages, for carrying out the pretensions of the Peers with regard to a paramount influence in electing a protector or regent.

Yet during the sixteenth and seventeenth centuries, the Lords were by no means supine in attempting to render their collective and individual rights independent both of the Crown and Commons; although to the former sufficiently compliant on every needful occasion. Hallam observes that—

'The reproach of servility and patient acquiescence under usurped power falls not on the English people, but on its natural leaders. We have seen indeed that the House of Commons now and then gave signs of an independent spirit, and occasioned more trouble even to Henry VIII. than his compliant nobility. They yielded to every mandate of his imperious will; they bent with every breath of his suspicious humour; they are responsible for the illegal trial, for the iniquitous attainder, for the sanguinary statute, for the tyranny which they sanctioned by law, and for that which they permitted to subsist without law. Nor was this selfish and pusillanimous subserviency more characteristic of the minions of Henry's favour, the Cromwells, the Riches, the Pagets, the Russels, and the Powellets, than of the representatives of ancient and honorable houses, the Norfolks, the Arundels, and the Shrewsburys. We trace the noble statesmen of these reigns concurring in all the inconsistencies of their revolutions, supporting all the religions of Henry, Edward, Mary, and Elizabeth; adjudging the death of Somerset to gratify Northumberland, and of Northumberland to redeem their participation in his fault; setting up the usurpation of Lady Jane Grey, and abandoning her on the first doubt of success; constant only in the rapacious acquisition of estates and

honours from whatever source, and in adherence to the present power.'—*Constit. Hist. of Engl.* vol. i. p. 64.

The case of the Earl of Arundel in 1626, enabled the Lords to establish as a fundamental principle, that the Upper House should not proceed to business without every Peer of full age having been summoned. It had already been decided, before the age of Elizabeth, that the writ of summons conveyed an inheritable Peerage, which was afterwards adjudged to descend upon heirs general, male as well as female. They substantiated, moreover, their privilege of voting by proxy, for which the permission of the King had formerly been necessary, but which now became absolute, or at least only subject to such limitations as the nobles in Parliament might themselves impose. The Earl of Pembroke held ten proxies on one occasion, and five on another, under Charles I; and the Duke of Buckingham, twice, had no less than thirteen. So enormous an accumulation of suffrages in one person, must quickly have destroyed the right altogether, even in those profligate times; and therefore a regulation was made, that no Lord should hold more than two. One of our best modern historians has observed, that doubts whether a Peerage could be surrendered to the King, and whether a territorial honour like that of Berkeley Castle could be alienated along with the land on which it depended, were determined in the manner most favourable to the dignity of the aristocracy. They also obtained a recognition of liberty to record their dissent from any measure, as well as the grounds for it, upon their Journals. In 1621, and 1624, and for some years before the civil wars, they still further enlarged their encroachments, and made orders without hesitation in private petitions of an original nature. In the Banbury riots they began to punish for misdemeanours, and repeatedly did so during the long Parliament, even awarding damages in several cases; as if to let all men see the necessity of that revolutionary but useful measure, which expunged them from the framework of the Commonwealth.

It was by degrees in the seventeenth century, as it will be in the nineteenth, that impressions ripened into resolutions. On the 3rd of December 1641, the following, moved by Pym, appears on the journals of the House of Commons.—

'That this Committee is appointed to prepare heads for a conference with the Lords, and to acquaint them what bills this House hath passed, and sent up to their Lordships, which much concern the safety of the kingdom, but have had no consent of their Lordships unto them; and that this House being the representative body of the whole kingdom, and their Lordships being but as particular persons,

and coming to Parliament in a particular capacity, that if they shall not be pleased to consent to the passing of those acts and others necessary to the preservation and safety of the kingdom, then this House together with such of the Lords as are more sensible of the safety of the kingdom may join together, and represent the same unto his Majesty.'

Godolphin observed, that if they went to the King with the lesser part of the Lords, the greater part of the Lords might go to the King with the lesser part of them; but the House took umbrage at the remark, and felt disposed to call him to account for his sarcastic objection. The Duke of Richmond also had ventured to sneer at the Lower House, on the mention of a six months adjournment; where the Commons forthwith impeached him, by a majority of 223 to 122, on the 27th January 1642. There might be greater haste than reason in such morbid sensibility; but it was a straw that showed which way the tide was running. Then came the business of the bishops, presenting a strange admixture of rashness and imbecillity on their part, while the King and Peers were hesitating whether conscience would allow them to calm the tempest by throwing their messmates overboard. To the whale however they went, as is well known; unfortunately to be vomited up again, later indeed than the disobedient prophet, yet much too soon for the welfare of their church and country. Meanwhile indignation waxed higher and hotter, as justice pursued its course.—

'Throughout the civil war,' says Hallam, 'the House of Lords kept up as much dignity as the state of affairs would permit, tenacious of small privileges, and offering much temporary opposition in higher matters, though always receding in the end from a contention, wherein it could not be successful.'

The Commons in return stroked and soothed them very respectfully, and even voted, on the prevalence of some rumours unpleasant to aristocratic nerves, that according to the laws of the realm, and the solemn league and covenant, the rights and privileges of the Peers must be considered sacred. But all this, the Whig historian complains,—

'Was with a secret reserve that the Lords should be of the same mind with themselves; for the Upper House having resented some words dropt from Sir John Evelyn at a conference concerning the removal of the King to Warwick castle, importing that the Commons might be compelled to act without them, the Commons, vindicating their member, as if his words did not bear that interpretation, yet added in the same breath a plain hint that it was not beyond their own views of what might be done.'

And so when at length the time came that their Lordships

could really go no farther, the Commons resolved, on the 6th of February 1649, that 'the House of Peers was useless and dangerous, and ought to be abolished.' The meanness of the Peers in surrendering Archbishop Laud to his fate, although as concerned the culprit that fate was richly deserved,—together with a pusillanimous ordinance passed by them, making it treasonable for any future King of England to levy war against his Parliament, notwithstanding they had refused concurrence in the trial of Charles I.,—contributed to lower them even in the estimation of their own party; while to all besides they had become for some years a reproach and laughing-stock.

It has been often said by those who are far from being idolaters of rank and titles, that a fair proportion of the Peerage ranged itself on the popular side against the royal prerogative. This indeed is true; but it is not the whole truth. No effective or substantial opposition to the court began in the House of Lords, until their own immunities were struck at. It must always be remembered, that it is not in the nature of things, but against the nature of things, for an aristocracy, or any considerable part of it, to be found fighting for the people. The same might be said with regard to the church, in the crisis of James II's political lunacy. James, as a papist, touched the tail of a wealthy protestant establishment, and it turned upon him in a moment. Hierarchies are only aristocracies in lawn sleeves instead of ermine. Charles or James Stuart might have cooked the vulgar fry at every meal till doomsday; but it was when the noble and reverend fish came to be laid on the fire, that the black slave popped out of the wall and upset the gridiron. James I. met with no difficulty in the Upper Chamber, until he began to sell Peerages, invent baronetcies, and grasp at a few lordly estates. When hereditary rank threatened to become less exclusive; when something like a lesser nobility seemed as though it would diminish the chasm between themselves and the people; then indeed

'The toe of emulation trod too near.'

Those who could see farthest or heard most, became most afraid. The Solomon of his day had a song of songs on absolute power, and the imprescriptible rights of monarchy. Here is a passage from it delivered in the Star Chamber in 1616; and no wonder some of the magnates possessing broad acres, should wink and wince.—

'It is atheism and blasphemy to dispute what God can do; good christians content themselves with his will revealed in his word; so it

is presumption and high contempt, in a subject to dispute what a King can do, or say that a King cannot do this or that.—*King James's Works*. p. 557.

Towards the close of his reign therefore, opposition assumed a regular form in the House of Peers; and before his decease had mustered such names as Say, Spencer, Pembroke, Warwick, Oxford, Essex, and Southampton. The Earls of Oxford and Southampton, however, had just undergone disagreeable examinations before the council; and the latter had been committed to the Tower, for having spoken, as it was said, against the King. Both Houses of Parliament were thus driven into a community of feeling, through apprehensions of the same rod shaken over their heads by the same pedagogue. Joseph Mede mentions a petition, something like a remonstrance, presented to the Crown in 1621, subscribed by no less than thirty-three Lords; but which after all, related rather to their own precedence above Scottish Peers, (a mere question of privilege), than to the general grievances grinding the faces of the community. Nor when Charles had succeeded his father, does it appear that the nobles gave him any trouble, until he had broken in upon their peculiar immunities by the committal of Lord Arundel, and the refusal of a writ of summons to Lord Bristol. His fatuity in provoking such a potent foe at that juncture, is not the point. Upwards of thirty Peers set up a tremendous hue-and-cry on the spur of the moment, and thenceforward hunted together; though the hollowness and selfishness and oscillations of Holland, Clare, and Northumberland, and the half-heartedness of Bedford and even Essex himself, form curious contrasts to the manliness and stern integrity which rendered the Roundheads illustrious.

Among the impolitic conduct of the Peers stood prominently forth, what they styled their loyalty, but other men called their slight regard for truth and honour. Take an example. Charles I. having among his friends or followers about two-thirds if not three-quarters of the aristocracy, was at York in June 1642. He had not as yet actually drawn the sword; but his commissions of array were cut and dried. There was not a nobleman under his standard at that time ignorant of the circumstance; yet, as the King wanted a little more preparation, some enormous act of hypocrisy which might delude the nation for a few weeks longer, was deemed necessary. Accordingly near forty Peers, with the famous but much over-rated Falkland among their number, published a declaration signed by their own hands,—

'Professing before God their full persuasion that the King had no

design to make war on the Parliament, and that they saw no colour of preparations or counsels that might reasonably beget a belief of any such designs; but that his endeavours tended to the settlement of the Protestant religion, the just privileges of the Commons, and the liberty of the subject.'

Of course so atrocious a falsehood deceived none whom it could be worth deceiving; and merely exhibits the aristocratic scale of that day, by which uprightness and candour were measured. The same men in the previous month of March had incarcerated a tailor, named Sandford, in Bridewell for life, besides some minor inflictions, because he had cursed the two Houses of Parliament, as well he might. It was the same body of Peers, gaping for confiscations, who materially contributed to keep their insatuated sovereign from coming to terms with his opponents; more especially in the earlier part of the war, before the cavaliers had felt the weight and force of the middle classes, when knit together by the discipline of Cromwell's Ironsides.

Amidst the intoxication and frenzy prevalent at the Restoration, the Peers returned to their places, agitated and inflated with mingled feelings. Adversity had taught them no wisdom, and a revival of their prosperity found many of them panting for revenge. The Commons, though consisting of red-hot royalists, gave offence at the very commencement. It had been resolved in the Lower House, that the persons and estates of the king's judges should be seized, in which measure the concurrence of the Lords was demanded. But the latter, however eager for retaliation on a prostrate party, conceived that their exclusive jurisdiction was invaded, and so changed the resolution into an 'Order of the Lords on complaint of the Commons.' A conference proved of little avail. The Peers throughout the Session, urged forward similar usurpations on the Executive, as well as on the inferior courts. Had the whole family of the Stuarts been luckily lost at sea, the great experiment of re-enslaving the nation might possibly have assumed a polymorphous aspect, and a hundred and thirty-nine coronets have superseded the crown. There were no bishops, it must be remembered, in this Parliament. Yet the Upper Chamber seem not to have missed the successors of the apostles. Their attention was absorbed in reinstating themselves, and levying heavy vengeance for their recent humiliation. Whoever among the malignants had happened to purchase property once belonging to a Peer, although confiscated and sold under the guarantee of the long Parliament, found that 'he leaned on a wall, and a serpent bit him.' The whole was obliged to be restored, free from seizure by seques-

tration, and with all arrears of rent. If Oliver Cromwell had scourged the royalists by his compositions, the House of Lords by their pecuniary retaliations attempted to flay the puritans alive. Their Journals bear testimony that they did not 'hesitate on petition to stay waste' on the estates of private persons, and secure the tithes of livings from which ministers had been ejected, in the hands of churchwardens, until their title could be tried. They acted in short, as if they had a plenary authority in matters of freehold right where any member of their own House was a party, and in every case as full and equitable jurisdiction as the Court of Chancery. Though in the more settled state of things which ensued, these anomalous orders do not so frequently occur, several assumptions of power are found, which show a disposition to claim as much as the circumstances of any particular case might lead them to think expedient for the parties, or honourable to themselves. They resolved, for example, that as information had been given that some person in the late times had carried away goods from the house of the Earl of Northampton, 'leave should be given to the said Earl, by his servants and agents, to make diligent and narrow search in the dwelling-houses of certain persons, and to break open any door or trunk, that should not be opened in obedience to the order.' This occurred on the 26th of June; and the following day there were similar orders made for the Marquess of Winchester, the Earls of Derby and Newport, and other noble inquisitors. A still more extraordinary act of oppression disgraced the sixteenth of the ensuing August. Lord Mohun having complained of one Keigwin, and his attorney Danby, for suing him by common process in Michaelmas term nine years before, in breach of privilege of Peerage, the House resolved that he should have damages; this too, it must be recollected, in the teeth of the Bill of Indemnity. Three Presbyterian Peers protested. Yet scandalous as these proceedings were, a gratuitous insult of later occurrence produced deeper sensation. The Upper House resolved on the 30th of January 1678, in the case of the Earl of Pembroke, that the single testimony of a commoner is not sufficient against a Peer. Even now, upon trials before their own House, they declare their verdict of guilty or not guilty upon their honour, and not upon their oaths; and in all conferences between themselves and the Commons, they remain covered, and sit upon more elevated seats, to preserve unimpaired the visible distinction between elected and un-elected legislators.

The conduct of the Lords with regard to the Bill of Indemnity and Oblivion, would have covered any other men,

in any other age, with infamy. They might have been compared to vampires hovering over their prey, when they gave to the next relations of the four peers decapitated during the Commonwealth, the horrid right to select one victim a-piece, from among the devoted judges of the king. The Earl of Denbigh, as kinsman to the late Duke of Hamilton, had the virtue to nominate a deceased individual; and upon this being pointed out to him, refused to substitute another. The other three possessed no such nicety; and the Lords Holland, Capel, and Derby, inserted each a name in the clause of exclusion, as an offering to the manes of their executed ancestors. The Roman triumvirs were surely not more revengeful. In truth, the Earl of Derby seems to have had the spirit of a vulture, in more ways than one. His taste was for 'flesh to roast,' as well as for 'the blood of the sacrifice.' He had sold some manors before the Restoration for a fair equivalent; and then after that event, with the assistance of the royalist faction, endeavoured to carry a Bill through Parliament to make void his conveyances. His solitary shadow of an excuse was, that others were struggling to do the same; and some had undoubtedly succeeded. Even Clarendon exclaimed against such enormities; and having protested with a few of his associates not absolutely lost to shame, advised the King to withhold his consent from the Earl's robbery. Charles did so, being honest for this once; and the Bill, after passing through both Houses, fell to the ground. Did public indignation overwhelm the perpetrators? Were the noble robbers hooted out of society? Not at all. The cavaliers declared that Charles II's famous amnesty was an act of oblivion for his friends and indemnity to his enemies; and Lord Derby commemorated on a tablet at Knowsley, what is there termed the ingratitude of his royal master. This was the Aristocracy's 'chastity of honour, which felt a stain like a wound,' as Burke afterwards expressed it. Again, when the question was, whether a land-tax or an excise should be the commutation for military tenures and purveyance about to be abolished, the grandees, true as ever to their private interests, spared to take from their own fields, and threw the burthen without mercy on 'the poor man's lamb,'—on the ordinary beverage and lowly luxuries consumed by the mass of the population. Similar were their procedures throughout Lord Danby's term of office, from 1673 on the dispersion of the Cabal, to 1778. An invincible majority for the court in the House of Lords, completely managed the House of Commons, dictated arbitrary measures, granted enormous supplies, omitted to provide against the civil and reli-

ious perils of that period, betrayed over and over again our foreign policy down to the peace of Vineguen, refused to grant the *Habens Corpus* Act through several successive Sessions, and yet passed the mischievous Test Act of 1673. It must further be remembered that in 1662, as well as the following year, most zealous efforts had been made in the House of Lords to restore the Star Chamber, and a Committee of peers went so far as to report that such a Court 'was fit for the good of the nation.' And so beyond all doubt it appeared to those whose ideas of what was national were confined within the limits of an aristocracy.

'The Lower House of Parliament, which hardly reckoned itself lower in dignity, and was something more than equal in substantial power, did not look without jealousy on these pretensions. They demurred to a privilege asserted by the Lords of assessing themselves in bills of direct taxation; and having on one occasion reluctantly permitted an amendment of that nature to pass, took care to record their dissent from the principle by a special entry in the Journals. An amendment having been introduced into a Bill for regulating the press, sent up by the Commons in 1661, which exempted the House of Peers from search for unlicensed books, it was resolved not to agree to it; and the Bill dropped for that time. Even in far more urgent circumstances, while the Parliament sat at Oxford in the year of the plague, a Bill to prevent the progress of infection was lost, because the Lords insisted that their houses should not be subjected to the general provisions for security. These ill-judged demonstrations of a design to exempt themselves from that equal submission to the laws, which is required in all well-governed states, and had ever been remarkable in our constitution, naturally raised a prejudice against the Lords, both in the other House of Parliament and among the common lawyers.' Hallam, *Constit. Hist.* vol. iii. p. 29, et al.

At the possession of such powers and immunities it is the essence of an aristocratic system to be aiming. Yet the Barons of the twelfth century or the thirteenth, as the effects of popular representation began to appear, were no doubt far enough from being haunted with any visions of a future age, when the King should come down for his supplies, to the Commons rather than to the Peers. In earlier Parliamentary records, it seems clear that the clergy, the Lords, and the representatives of the people, taxed themselves separately; made their several grants without mutual communication; and tendered them in written indentures to the sovereign, without obtaining his formal assent. Towards the close, however, of Edward III's reign, the Lords and Commons are jointly recited in the rolls of Parliament as granting the supplies; and under Richard II. the Commons are said to have done so 'with the assent of the Lords,' in-

dicating probably the initiation of the money-vote in the Lower House. After another hundred years, the language gets gradually stronger; and there exists actual evidence under Edward IV., that an aid given by the Commons would be binding upon commoners, without the consent or recognition of the Peers at all. It should be observed, that down to the time of the Tudors, these grants rarely or never appear among the statutes as legislative enactments, except where some condition is annexed, or the redress of grievances is inserted. Their present form began to prevail from Henry VIII. downwards. In the first Parliament of the second Stuart, the mention of the Lords in the preamble of money-bills is omitted. The grant is described as emanating solely from the Commons, although the enacting words run in the customary language of all other Acts. The Upper House once, and only once, remonstrated; and the practice has continued. Fifty years later, the Lower House expressed in a resolution, 'that all aids and supplies to his Majesty in Parliament are the sole gift of the Commons.' [*Part. Hist.* 1005.] Nor did they merely maintain that the origination of taxes must take place in the Lower House; but they have denied, and with success, that the Peers could make any amendment whatever in Bills imposing directly or indirectly a pecuniary charge upon the nation. Yet this controversy by some of our constitutional writers is by no means considered settled. And whether it be so or not, is of comparatively small importance, with respect to the greatest portion of our history.

In sober truth, since the creation of the world, there never has existed a country, so easily, and therefore so extensively, cheated as our own. The History of England is the triumph of privileged conjurors; of prelates in lawn sleeves, and ministers of imperial state-craft, practising their profession on an exalted scale. Such persons, calling themselves statesmen and legislators, have performed marvellous sleights of hand before gaping audiences; bowing low at each tempest of applause; deluding every eye, and tickling every ear; while whatever possesses value with the patriot or philanthropist, was taking wing, and vanishing into air. It was not until the termination of the Elizabethan æra, that the Lower House succeeded in renouncing its general tone of servility to the Upper. During the Commonwealth, there was no sufficient interval of calm to infuse the effects of its ascendancy into the habits and reason of the age. The Restoration re-seated the aristocracy in triumph; and the two profligate reigns intervening before the Revolution so strengthened all the sources of corruption, that the Peers were enabled to take the lead in

enthroning William! They so skilfully shuffled the cards, as to retain the trumps in their own unobserved possession. In spirit, with some bright exceptions, they were, as matter of course, altogether opposed to the change. Their true nature broke out whenever it could with any chance of success or safety. On the 28th of January 1689, the Commons declared that James, having endeavoured to subvert the Constitution, had abdicated the Government and left the throne vacant. The Earls of Nottingham and Clarendon in the Lords, put the question, whether a regency would not be preferable, which might, as many hoped, admit the King's return when the storm had blown over; and this motion was only lost by fifty-one to forty-nine. But the Lords exchanged the word 'abdicated' for 'deserted,' as a softer or more ambiguous term, and left out the most important clause in the vote of the Commons, 'that the throne was vacant,' by a majority of fifty-five to forty-one. Finding, however, that the spirit out of doors would be too strong for them, they made a merit of necessity, as they did in the late Reform Bill, and yielded to the constancy of the Commons. By sixty-two against forty-seven, they then resolved, that the Prince and Princess of Orange be declared King and Queen of England, with all the donations thereto adjoining; but the Commons demurred to any hasty settlement of the crown, until a Declaration should be completed of those fundamental rights and liberties, which they fondly imagined might thus be secured for ever. Never was disappointment more complete. The Lords bent like bulrushes before the popular gale; but on regaining their natural attitude, grew up to greater influence than ever. Their shadow overclouded the land. The predominating character of the Government became more and more aristocratical. The law—church—navy—army—Parliament—Corporations—imbibed no other principle, and developed no other result. Hereditary legislators coerced wherever they dared; and coaxed or bribed wherever force seemed inexpedient. Boroughs obtained Peers for their patrons, whose office it was, to fatten the aldermen, corrupt the burgesses, and thereby nominate the representatives. While Blackstone lectured at All Souls upon a constitution which, with matchless impudence, he described as the perfection of politics, 'so admirably tempered and compounded that nothing can endanger or hurt it, but by destroying the equilibrium of power between one branch of the legislature and the rest,'—at that very time, as the audacious mountebank well knew, there existed no such equipoise; the Peerage having usurped an influence whereby it was enabled to plunder the people, dictate to the Crown, and carry its own measures

through the House of Commons. Within the walls of that House, less than two hundred Peers, or persons immediately connected with them, returned a clear majority. The former commanded; the latter obeyed. The measures of the Commons were the acts of the people, just as much as a Bishop made by a *congé d'élire*, is really the selection of his cathedral's Dean and Chapter. The whole scheme of ruling these nations, was a long political farce which might have been entitled 'The way to govern, or Forms of Freedom the Right Road to Slavery.' Ostensibly John Bull was master in his own house; but in reality an odious beldame called Oligarchy, milked his cows, stole his corn, pilfered his goods, spent his money, whipped his little boys, and cudgelled the old man himself into the bargain.

That this picture is not overdrawn, will be most evident to those who have most investigated the history of these times. In the Declaration of Rights presented to the Prince of Orange by the Marquess of Halifax from the Woolpack, it was asserted, that the power of dispensing with laws by regal authority *as it had been assumed and exercised* of late, was illegal; the important limitations in *Italics*, being an Amendment to the original, added by the Lords, to soften down the general denunciation of what they were in reality unwilling to condemn. A clause was therefore introduced into the Bill of Rights, 'that no dispensation by *non obstante* to any statute should be allowed, except in such cases, as should be specially provided for, by an Act to be passed during the Session.' This Act, however, never appeared, although in the next Parliament the Judges received orders from the Upper House to prepare it. Nothing seems to have been done, notwithstanding so much was felt by their Lordships. They made indeed an attempt to get ecclesiastical persons absolved from taking the oaths of allegiance to William and Mary, unless called upon to do it by the Privy Council; so vehement were the yearnings of the nobles and church for the good old order of things. And when the absurd exception was overruled in the Commons, the clergy still contrived to obtain, through their Right Honourable patrons, six months more time than was allowed to the lay holders of offices, to enlarge their spiritual swallow,—square their consciences to the experiment,—and weigh the 'solid pudding' of convenient loyalty, against the 'empty praise' of a few hundred hungry non-jurors. Next to the Church, in the affections of the Aristocracy, stood close Corporations; and a Bill for reforming them, so far as circumstances would then allow, by a revival of the more liberal Charters, which had been

scandalously surrendered to Charles and James, was smothered by the Lords, amidst their usual professions of superior respect for liberty, property, and precedent. Even with all their regard for the royal prerogative, some peers had no scruple to take advantage of the *de facto* sovereign's unpopularity in December 1692, to propose a Committee of both Houses to advise the King on the state of the nation, and ultimately usurp the functions of the executive by growing into a separate Council of State, in which the grandes trusted they would prove all-powerful. The endeavours, also, of the Lords to re-shackle the press, on the expiration of the Licensing Act, are well known; and that their efforts were fruitless, through a combination of Whigs Tories and Jacobites in the Lower House, arose from the strong sense each party began to entertain of the importance of popular support out of doors. Through the operation of similar motives, that House entered far more completely than the Upper, into the spirit of an article in the Act of Settlement, which excluded civil and military officers from Parliament; yet they met with immense difficulty on this point, through the corrupt principles inherent in the other branch of the Legislature. Nor did they at last succeed in their object; except as to a provision vacating the seat of any Member who accepts a place under the Crown, and another that no person holding an office created since the 25th October 1705, shall be eligible or re-eligible at all. In fact just enough was yielded, to delude the people, and conceal the Fabian tactics of the oligarchy under a semblance of concession. It is notorious that placemen and pensioners have always swarmed upon the benches of the Commons, while the Acts of the 6th Anne and 1st George I, have been like the green withes and the new ropes on the limbs of Samson. Mr. Sandys in 1730, again in 1734, and once more in 1740, carried a stringent measure by small majorities through the Commons; which Sir Robert Walpole as constantly crushed in the House of Lords. George the II. used to style it 'a villainous Bill;' the epithet from such a quarter being demonstrative of its true character, as well as of the motives of those who thus succeeded in destroying it. The Bill brought in by Mr. Wortley in 1710 for voting by Ballot, after passing the Commons, was thrown out by the Lords as dangerous to the Constitution. The cases of the Aylesbury election, of Floyd and Blount at an earlier period (about 1621), as well as of many later convictions and punishments awarded by the Peers, even down to so recent a date as the reign of George II, present such strange scenes of fines, pillories, and imprisonments, that Hallam himself observes,—

'If the matters to rest upon precedent, or upon what overrides precedent itself, the absolute failure of jurisdiction in the ordinary courts, there seems nothing (decency and discretion excepted) to prevent their repeating the sentences of James the First's reign, whipping, branding, and hard labour for life. Nay they might order the usher of the black rod to take a man from their bar, and hang him up in the lobby. Such things would not be done, and being done, would not be endured; but it is much, that any sworn ministers of the law should by even indefinite language have countenanced the legal possibility of such tyrannous power in England.'

He adds afterwards in the same page;—

'Public opinion, it is true, in this country, imposes a considerable restraint; yet this check is somewhat less powerful in that branch of the Legislature (the House of Lords) which has gone the farthest in chastising breaches of privilege.'—*Constit. Hist.* vol. iii. p. 481.

It was shown in a former Number of this Review, under the head of Aristocratic Taxation, how all ranks below those styling themselves *par excellence* 'the Upper Classes,' have been made to pay for the 'Corinthian Order.' It was demonstrated by an appeal to Parliamentary Returns, that while every valuable article consumed by the rich and noble paid a low tax, ordinary articles consumed by the Middle Classes paid a high tax, and the lowly commodities used by the poor a most extravagant one. Tobacco, sugar, soap, glass, timber, wine, spirits, tea, the house and window duties, the Post-office, taxes on knowledge, and monopolies of every sort, were investigated and found to bear ample testimony to the correctness of this statement. The thoughts and letters of Messrs. Tomkins Jenkins, and Winterbottom, with the aid of fashionable novels, have removed the veil from the mischiefs inflicted by an exclusive caste upon the habits and morals of society. It would be easy to compile another volume of examples and illustrations, from the Paston Collection and Horace Walpole's multifarious correspondence.

There is yet one point of view too generally overlooked with regard to the aristocracy; and that relates to the malignant influence it has exercised upon our Foreign Policy. It is unnecessary to look back further than the Revolution. The House of Lords, as has been seen, reluctantly abetted that event, and acted throughout upon motives of self-preservation and self-interest. Pride, prejudice, and an appetite for plunder, induced many of its members, both Whigs and Tories, to keep up a clandestine intercourse with the exiles of St. Germain's. Monmouth, Montague, Marlborough, Carmarthen, and Sunderland, with from twenty-five to thirty other Lords, are criminated

more or less by the Macpherson and Dalrymple papers. These traitors conceived themselves above ordinary rules of right and wrong; and frequently acted as spies on behalf of the enemy. Their high station placed them on advantageous ground for such deeds. Louis and James were always impressing upon their minds, that the privileges of an hereditary aristocracy must ever be identified with the indefeasible rights of the Stuarts. A large proportion therefore of the nobility and its retainers, formed a corps of hostile observation in the heart of the kingdom; the more dangerous, because both secret and powerful, and in direct league with foreign foes. Thus Marlborough communicated to the French ministry at Versailles the secret of an expedition against Brest, which failed in consequence with the loss of the commander and eight hundred men. William himself knew more than he felt it safe or prudent to reveal, with regard to several of the perfidious apostates by whom he was surrounded, and whom he dared not dismiss from his employ, since in that case he would have had to encounter their overpowering opposition in both Houses. It may be with truth affirmed, that could the Revolution of 1688 have done as much in modifying the aristocracy as it did in setting aside a dynasty, we might at this moment have been in as prosperous circumstances as the United States of America, without the curse of colonies, the incubus of a national debt, or the dead weight of an army. Embarrassments at home, mainly originating from the hollow allegiance of the aristocratic branch of the Legislature, rendered welcome what was called the peace of Ryswick, pregnant as it was with the seeds of future wars, and negotiated in the most unconstitutional manner. Although William had no right to act as he did, he might have adduced as some palliation, the incumbance of his being almost dependent upon haughty nobles, whose greediness made them ready for any favours he might bestow, while the elective affinities of their order with the cause of his opponent were for ever prompting them to deceive and betray. The King seems to have been prevented by his suspicions, from trusting the Earl of Shrewsbury with even the preliminaries of the negotiation. From this time, the oligarchy gaining so strong an ascendant, all foreign affairs were conducted upon principles of party, rather than upon any broad basis of patriotism or the general welfare of Europe. In the war of the Succession, after Marlborough's earlier victories, Louis XIV offered all the Spanish dominions in Italy to the Archduke Charles, a barrier in the Netherlands to the States General, and a compensation

to the Duke of Savoy. It was then, or shortly afterwards, in the power of the allies to have secured a perpetual disjunction of the Crowns of France and Spain, and obtained the objects of their confederacy. But Marlborough loved both the emoluments and the glory of the war. Godolphin at home deemed his place and preferment at the Treasury more secure amidst the éclat attendant on each defeat of the Grand Monarque. Appealing therefore to the Peers who supported him, he threw their parliamentary influence into the scale of Prince Eugene and the pensionary Heinsius, and for many years Europe remained a scene of carnage, confusion, and distress, to gratify these selfish men. Let it be imagined for a moment that at the beginning of the last century there had been no second Chamber, but that in each of the three kingdoms an independent House of Commons, chosen upon the plan of the English, Irish, and Scotch Reform Bills, had represented the middle classes of their respective nations;—is it credible that they would have prosecuted a sanguinary and expensive war for six additional campaigns, wasting millions of money, shedding the blood of thousands, and desolating entire provinces, for objects altogether foreign. Up to a certain point, this mighty contest was waged upon legitimate grounds, and with an intelligible object in view. But plain men, unsophisticated by the artificial conventionalisms of society, would then have exclaimed, 'Here we must stop; sheath the sword; thank the Almighty for our success; wind up the national account; and get clear of our incumbrances, as soon as possible, by economy and retrenchment.' So have the descendants of those very middle classes acted on the other side the Atlantic; or if there have been occasional symptoms of contrary inclinations, they have arisen in their Senate or second Chamber, whose members have now and then aped an aristocracy, in consequence of the comparatively protracted period for which they are elected. It must never be forgotten, that peace is not a state favourable to the pretensions of the few, as exerted against the rights of all; and for the simple reason, that when nothing is going on out of doors, people are very much in the humour for effecting internal reforms. War has therefore ever been congenial to all patricians and monopolists. And should it be conceived that the subsequent treaty of Utrecht tells against this declaration, it may be answered that the national interests were there again sacrificed, not for the sake of the olive branch, but for the fruits of power and place, which one large party expected would grow upon it for their peculiar benefit. The preliminaries, far below those tendered at Gertruydenburgh, incurred the indirect censure of

the House of Lords, until a dozen new creations inclined the balance, and gave the nation new rulers for an interval, without in the slightest degree delivering it from its master evil.

The fact is, that where the people are permitted fairly to govern themselves, partial objects have less chance of being attended to, than great general principles. Passing over for the sake of brevity the peace of Aix la Chapelle and that of Paris, in which, as usual, our commercial were sacrificed to our colonial interests, the latter being valuable to the nobles and the former to the nation,—what was it, let it be inquired, which plunged us into the great continental Maelstrom of 1793? William Pitt the second, it has been said, would have been essentially a pacific minister, had he been left to select his own course, uninfluenced by contrary circumstances. Whence then his conduct as to this war? It is notorious, that he had two ways open before him; on the one hand, to have gradually worked out the liberal conceptions of his youth; or on the other, to apostatize from them, and throw himself into the arms of the aristocracy. This aristocracy had begun to perceive that upon no other plan than opposing French opinions, both at home and abroad, could they hope to preserve their immunities entire. The son of Lord Chatham therefore cast in his lot with them, and took part against the people. His excuse was, that the ghost of the Revolution then raging in France scared him with visions of confusion and massacre. Now he perfectly knew, that the middle and respectable classes, forming the actual mass of his countrymen, had a detestation equal to his own of everything really connected with pillage or disorder. They had in the aggregate far more to lose by tumult and confiscation, than the proud nobles or their retainers. The true motive of Mr. Pitt's final and fatal resolve was, that in weighing popular rights against aristocratic usurpations, his order, his caste, and himself, an ecclesiastical hierarchy, sinecures, pensions, an overgrown Civil list, all pressed down the scale; Parliamentary Reform, sound and cheap government, an extinction of abuses, general education and diffusion of knowledge, all kicked the beam. Therefore he was for war with France. Nor let it be forgotten, that if England had been without nobles and an Established Church, 500,000,000*l.* of the present debt would have never existed, and one half the lives of her children who fell in the struggle, might literally have been saved. She would never have dreamed, under such circumstances, of bringing into action any other than her naval force. Her enormous folly in subsidizing pauper princes, was the impure and fatuous result of hereditary wisdom and selfishness. A thousand-fold too

much has been paid for the whistle, even on the supposition that the Peerage were a harmless plaything. The parliamentary Sessions of 1792 developed many wonderful and interesting phenomena. A neighbouring nation had emancipated itself from a thralldom, which Britain had for generations past been throwing in its teeth, and accusing it of wishing to impose upon herself. All the world wondered at the spectacle. The oppressed hoped, the oppressor feared. Nobles thought of force, priests of fraud, kings of nothing but safety. Philanthropists were overjoyed,—perhaps too soon. Patriots responded to every pulsation of the public mind in France. It was time, they said, that something should be done here. Demands by no means unreasonable or disrespectful, grew loud for political Reform. Pitt and his Peers, dreading the effect of these appeals, procured from the King a proclamation against seditious writings; and succeeded in raising the most excited interest in foreign affairs, that men might forget domestic improvement. ‘*Common Sense*,’ which had established a republic in America, was followed by the ‘*Rights of Man* ;’ both of them splendid works for their time, and which have now wrought their contents into the mind and constitution of society, so that in all parts of Europe men both in public and private give utterance to their principles, as the ‘*Bourgeois Gentilhomme*’ did to prose, without being conscious of the fact. A legal process was instituted against the author; the eloquence of Erskine failed in obtaining his acquittal; and as he did not appear, he was outlawed. His enemies discovered that in his old age he gave into brandy-and-water;—as if no dignity of the church had ever been found out in as much. But whatever in his books was true, told mightily on immense masses of men, as truth always will. Various democratic associations, from the London Corresponding Society to that of the Friends of the People, augmented the alarm of all the noble craftsmen of Ephesus. ‘*Hostilities against the enemies of God and man*,’ filled every mouth and every mind. His Majesty summoned Parliament together much earlier than usual; and called out a considerable part of the militia, as if the greatest dangers threatened the realm. The press, the pulpit, and high over all, the House of Lords, resounded with denunciations against Republicans and Levellers. Religion as usual was much upon the lips, of some of the most profligate wretches upon earth; but the object nearest and dearest was to defend the image of the great goddess Diana which fell down out of Heaven from Jupiter,—the Peerage.

Not to protract these remarks, it may be simply asked, whether the entire diplomacy of this country has not received

its life and shape and language from the aristocratic features of our constitution. We boast exceedingly of our freedom, before other nations; yet those nations have learned to suspect us at every turn; and why, but because our foreign relations, dictated and moulded as they have been by a selfish oligarchy, have always been found at direct variance with our professions of liberty and liberality? Liberty has never been sacrificed in any country, without an English aristocrat *assisting*, as the French phrase it, at the ceremony. Thus it has ever been, and must be, until common sense shall have driven high birth from its prescriptive position at the head of affairs. Hitherto this has been the primary recommendation of our diplomatists; and the consequence is, that the laurels of military achievement have proved barren of everything but leaves. The trophies of the field have withered in the artificial air of courts and cabinets, where nobles without knowledge, or their relations without brains, have bartered away the best interests of Great Britain and even Europe itself, for a smile, a bow, or a snuff-box. Let but American diplomacy be set by the side of our own, and its superior efficiency, to say nothing of its cheapness, becomes apparent in a moment. Would the former have permitted such results, as those of the continental congresses, to have sprung from the triumphs of Salamanca, Vittoria, and Waterloo? Would it have subjected and re-subjected Spain to the vile yoke of Ferdinand and the Inquisition? Would it have transferred Genoa to Sardinia, Norway to Sweden, or Belgium to Holland; as though republics and kingdoms were so many conquered estates, or patrician patrimonies? Would it have insulted France, chained Germany, planted the Austrian vulture in the vitals of Italy, mismanaged Portugal, winked at the partition of Poland, and strengthened the autocratic monarchies? Would it have secured nothing,—positively nothing,—for the country it represented; except a few more expensive colonies, to expand the already enormous field of patronage for lords and ladies to pasture in? The Holy Alliance, as is well understood, involved the elements of political monopoly and despotism. Hence was it dear to the House of Peers;—as precious in its sight as the transactions at Aix la Chapelle, Troppau, Laybach, or Verona; as the cause of Miguel at Lisbon, of Carlos in Spain, the royal Dutchman at Antwerp, or the sovereigns and abettors of tyranny assembled at Kassel.

But how to deal with the difficulty, is the important question. Associations of centuries backward, the hoping against hope for better things from the Peerage still cherished by many excellent men, the fears of timid half-enlightened

politicians, the shuffling of innumerable wai-
 ters upon providence, and an apprehension that our social system could not sustain the shock of any hasty courses with the second Chamber, all combine to postpone as long as possible what must after all be some time or other performed. Various plans have been proposed; such as a free conference between the two Houses whenever the Lords differ from the Commons; at which conference, the members of both Houses are to resolve themselves into one, and vote together. There seems in this plan something to recommend it as an initiatory link in a series of measures, whereby a colossal evil may be gradually abated. Yet it may be matter for consideration, whether the struggle to obtain this commencement of an aristocratic reform would not be just as great, as that which might afford the nation, after a single effort, the entirety of what is required. The arguments against a bit by bit improvement, were conclusive in the instance of the Reform Bill, because the public mind was fully prepared for the reception of the measure. This is not the case, as it appears to many, with regard to the Peerage, at present; and it is argued, that more are for gradual, than for comprehensive alteration. At all events, every one who sheds light on a subject so important, renders service in his day and generation. That the Lords will stoutly resist even the slightest amelioration, can be a fact concealed from no one. Yet it is equally certain that the ultimate crisis can be at no great distance. The Peers by their very obstinacy and incorrigibility, smooth the road for it beyond all reasonable expectation. There are violent spirits among them, who in every oration they deliver, are so doing the work of the liberal party, that a large proportion of their bigotry and fanaticism is for the moment decidedly beneficial. They have indeed just sufficient glimmerings of understanding to perceive, that like the locusts 'they must go forth all of them by bands;' and this they will in future do under their ducal and legal leaders. The last contest therefore, when it comes, will be beyond a doubt terrific.

But as extraordinary occasions require extraordinary measures, can we do better than our forefathers did soon after the Revolution? William III, through the Irish confiscations from his Jacobite opponents, had acquired about a million of acres in the sister island; of which Parliament had intended that two-thirds should be sold and the proceeds applied to the public service. A royal promise was given, in answer to an Address in 1690, that no grant should be made out of them till the matter had been fully considered in the next session. To the unpalliated disgrace of the King, he broke his word, and

squandered away the whole of these forfeitures among his personal favourites the Bentincks, and Ginkels, not forgetting a certain lady, the countess of Orkney. An act of resumption was proposed and carried through the Lower House. The Lords according to custom espoused warmly the cause of corruption; but with discretion and cunning, like those recently displayed with regard to the Corporation Bill, admitted certain abstract principles, and then frittered away the results by various amendments in committee. The Commons at once attached their former resolutions to a Money-bill; as they had done seven years before, for another purpose in 1692. The Peers had no other course to pursue than to growl, submit, and give way. The Peers' amendments were withdrawn at the royal request; and such royal requests must come into vogue again, unless the alternative of popular convulsion be preferred. Let Bills be sent up from the Commons, so soon as the pressure from without shall have compelled them also to open their eyes, for unseating the thirty prelates, and suspending the definitive veto of the Peers; —tacking them both to the Supplies. Has any better plan been proposed? Let the people of England look at this at their next general election. Are we to go on from session to session, and from Parliament to Parliament, one Chamber playing the trick of Penelope by day, and the other her opposite trick by night? And is the machinery of legislation to be thus worn or pulled to pieces, in the processes of entanglement and disentanglement; one set of wheels or fingers working one way, and a second another? Either something of this kind must be done, or a swarm of new coronets manufactured for this purpose now, and the same quantity a few years hence for some other purpose; until these gewgaws of society shall get as cheap as Birmingham ware. We may then look forward possibly to an elective senate, or some other process which shall effectually remove the causes of complaint.

Let no man be deterred from doing his duty, by the cry of innovation. No senatorial body has undergone greater or more frequent modifications than the House of Lords. To usher in the glories of the Reformation, about thirty-six spiritual Peerages were at once extinguished; an enormous extent of change, when viewed in relation with the circumstances under which it occurred, and the proportion which the number of mitred abbots bore to their lay associates. Towards the close of that century, the writ of summons, by a construction of law, was held to convey an inheritable earldom or barony; while in earlier ages, it had only given a right of sitting in the Parliament for which it was issued. Under Charles I, as all know, the

custom of holding proxies was circumscribed, the bishops were driven from their bench, and the house in which they sat was abolished. After the accession of the Hanoverian dynasty, it was proposed and carried among the Peers, that their numbers should thenceforward be limited, and the Crown deprived of its most important prerogative relating to their creation. The acts of union with Scotland and Ireland added new varieties to their constitution. Forty-four elective temporal Lords, and thirty ecclesiastical ones, some chosen for life, some for a Parliament, some for a single session, as in the instance of Irish prelates, form strange anomalies in a Chamber of Legislation whose grand characteristics are to be hereditary right and irresponsible power. Surely the argument against 'any further organic changes,' lately urged by Sir Robert Peel, must fall to the ground, amidst such a compound of heterogeneous contrarities.

ART. IV.—*The Fudges in England.* By Thomas Brown the Younger.—Longman & Co. London. 1835.

PRIEST-CRAFT and saint-craft, it is worthy of remark, have not always been in that close alliance in which they are seen at the present day. A man need not be grey-headed to remember a time, when the intriguer of Portman-Square, and the bigot of Exeter-Hall, were distinct personages. It is in truth only of late years, that the genius of Orangeism has enlarged its phylacteries so immoderately, turned tract-monger and missionary, and covered the seas with floating-chapels. Recent is the coil and uproar about the souls of Papists; and the going forth of the Cookes and Cunninghams, with the whole expedition of strolling Church-of-Englandism, is within the memory of living men. The late Archbishop Magee—of antithetical celebrity—may perhaps be said to have been the father of the present system. If he did not beget the hybrid between fanaticism and faction, he baptized and confirmed it. Before his day, the Irish Catholic was left—as far as the ecclesiastic was concerned—to settle his account with 'Heaven's chancery' after his own fashion. Satisfied with his monopoly of things secular, the Orangeman bestowed upon things spiritual a very inconsiderable portion of his attention. The Beresfords and Jotelyns had not purchased their pocket-bibles; the Le-froys were mere tory lawyers; the Shaws were speculating corporators; and it is probable that there was not in the whole Protestant establishment a curate, or in the whole Protestant aristocracy a lord or a lady, who could fix the date of the

Millennium, determiné the longitude and latitude of the New Jerusalem, or show the identity of Mr. O'Connell's power with the dominion of the beast in the Apocalypse. It was a peaceful æra of unadulterated jobbing. Orangeism stood upon a single and simple ground. The churchman did not affect the christian. Nay, if anybody was then a saint, he met with all discouragement, and the countenance of prelacy shone not upon him. 'So, Billy, you have got the grace!'—roared a jocular and dissipated dignitary of the house of Waterford, at his own table, to a reverend kinsman, now a star of the first magnitude in the religious firmament, who was then just peering with his first tremulous lustre above the horizon. When the Bible Societies were first instituted, they had no foes so loud, vehement, and bitter as the clergy. Not with more rancour have they raised in the latter days the whoop of 'mutilation' against the Government, than they screamed some fifteen or twenty years ago, against the rising sect of the Evangelicals, who never dreamed of curtailing a chapter or a verse from the holy volume. The ribald tongues of a hundred pulpits wagged against the 'new light' project, in a hundred pamphlets they ridiculed and denounced it; curates got livings, rectors became pluralists, and pluralists rose to bishoprics, by the zeal with which they opposed 'the biblicals,' as the performers at the Rotunda were then nicknamed by those who now play 'primo buffo' in the same company. As the Papist is now, so was then the Evangelical and the Methodist. They met with little mercy in any of the High-Church circles. From the shovel-hats, they got no quarter. Had any vagrant divine like Mr. O'Sullivan, fallen in the cycle of his pious perigrinations into the clutches of a clerical magistrate, even in the regions of Armagh or Derry, a special interposition could alone have delivered him from the stocks and the headle.

Thus slight was the disposition of the Orange clergy, little more than a dozen years back, to a league with saints or fanatics. The rector, drank his Port, and the dignitary his Burgundy; and you could not have more annibyled either, than by a reference to St. Paul, or the remotest allusion to St. Peter. It was a personal affront to a Bishop to produce a bible. The party was sufficiently strong in its political resources; motive for hypocrisy there was none; and nobody encumbers himself with a masquerade dress, until it becomes inconvenient to appear in his own character. What, then, were the changes in times and circumstances which induced the clergy to put on the garb of sanctity over their canonicals, and led to a treaty between the Church and the Conventicle? The event is not

difficult to account for. The rapid progress of the Catholic question from the time that the Association began its bold and magnificent career, placed the Orange party in a new position. Accustomed to assail, the chiefs of Ascendancy now became the assailed; and they soon discovered that to keep the field it was necessary to make new alliances. The benefits of corruption were partaken of by too few, to make it a sufficiently active principle of combination for the body. A reinforcement was indispensable; and what could serve their purpose better than the self-same spirit of fanaticism, which in calmer days had been the butt of their pleasantries, and occasionally a mark for keener arrows? They turned accordingly a repentant and desiring eye upon the Bethesda and Ebenezer Chapels, and conceived the design of a joint-stock company of corruptionists and canters, the basis of the partnership being the common hostility of both to their fellow-countrymen of the Catholic persuasion. There were difficulties, it is true, in the way of the proposed union; but there were facilities also. Among other things it is to be observed, that there was an old family connection between the parties. There was that tie of consanguinity which exists between the rogueries and the follies,—the vices and the imbecilities. Their advances were therefore as the rush of brothers to reconciliation; the past was steeped in Lethe; and faction and fanaticism—kindred mischiefs—leaped into each other's arms.

A new state of things grew out of this confederacy. The Orangeman was now a saint; the clergyman was now an evangelical; and the war against the Catholic assumed the double aspect of a political and religious persecution. Immense were the exertions of the allied powers, to perpetuate his servitude in this life and effect his salvation in the next. The same party laboured indefatigably to keep him a slave, and make him a protestant. The churches rang with alternate invectives against Emancipation and the Seven Sacraments. The saints of the Rotunda wore the colours of the lodges; and the brethren of the lodges adopted the cant of the Rotunda. The biblicals identified themselves with the churchmen; and the churchmen returned the compliment by embracing all the extravagancies of the biblicals. They were broached a thousand new projects of discord, and devices of hypocrisy. Folly in the embraces of vice proved a fruitful mother; and speedily brought forth the New Reformation Society, the Kildare-Place Institution, and all the vagaries of the Home Mission. Then went forth the whole army of mountebanks and mischief-makers, with all the equipage of sectarian warfare, deceiving the simple, disturbing the quiet,

insulting the Papist, and making the name of Protestant alternately ridiculous and odious. Then did the pious Peeress nominate her 'moral agent;' then did holiness divide with hyson the attractions of the tea-table; then did the prayer-meeting grow into fashion, and the sale of polyglotts become a distinct commercial speculation. Then did the clergyman appear in the Sunday-school, and the visage of the Tory lawyer show itself where the missionaries were gathered together. A new race of parsons sprang up, half political leaders, half fanatical fire-brands,—half demagogues, half divines,—half biblicals, half bravos,—now declaiming in the pulpit, now vociferant in the tavern,—cloquent to day at Merchants Hall, rhetorical tomorrow at the Magdalen,—now making 'the house of prayer a den of thieves,' now turning the den of thieves into the house of prayer,—spouting faction in the churches, pouring forth hymns and homilies in the clubs and lodges,—alternately at their devotions and their 'diableries,'—celebrating 'the feast of fools' at the Rotunda, or commemorating the anniversaries of party at the Mansion-House.

Who has not heard of the Rotunda, and its political and pious revelries? Who has heard of Dublin, and has not also heard of this temple of enthusiasm,—the resort of fair ladies and foolish lords, where they lay in, at no slight expense of money, their annual stock of sanctified phraseology and uncharitable sentiment;—the bigot's bazaar, and booth of the sacred charlatan;—the 'Vanity-Fair' of Protestantism;—the exhibition-room of the holy Polichinellos? Multitudinous are its gambols in the month of April, when sanctity opens her Almack's, the serious countess leads off the spiritual ball with the man of missions, and there is a general gallopade of the godly. Unless you have the sides of Democritus, go not up to the vernal gathering of the faithful. What is the Grimaldi of the pantomime, to him of the platform? Though the coat be sable instead of motley, the extravaganza is only the more extravagant. The opening of the Rotunda is the closing of all the minor theatres. Astley retires, with all his feats and clowneries? What a jump was that, over fact and probability! Munchausen never took such a flight in his best days. One bounds over common-sense; another vaults over all the laws of logic; a third tumbles over the Old and New Testament, plays at leap-frog with the prophets, and knocks about the apostles like nine-pins. One takes his fling at Juggernaut; another at Confucius; a third at Mohammed; all agree in belabouring the Pope, and such merriment do they make with His Holiness, kicking the triple crown from one to

the other like a foot-ball, that it is pity they have not a Pontiff a-piece to worry and dilacerate.—

‘On the slain corpse contending bigots fall ;
Alas ! what’s one poor pope among them all’

When the alliance was first formed between Orangeism and sanctity, the purpose of the confederacy was to oppose Catholic Emancipation. That cause, however, prevailed in the teeth of clubs and conventicles ; but the demand for their exertions was so far from ceasing upon the happening of that event, that it became more urgent a hundred times, having for its new object the defence of ecclesiastical abuses, and the general protection of every public nuisance against the new and formidable power which then began to direct its efforts, in England as well as in Ireland, to the reform of the national institutions. Then was the commencement of a new æra ; the system of Orange propagandism had its beginning ; the Rotunda conceived, and brought forth Exeter-Hall ; the mischief, from being provincial, became imperial ; took a wider range ; entertained vaster projects ; enjoyed loftier patronage ; rose, in short, from the ‘*petites diableries*’ of Dublin, to the ‘*grandes diableries*’ of the Kenyons and Cumberlands in London.

In a case where absurdity and wickedness are mingled in nearly equal proportions, the satirist has his choice between ridicule and invective, and he will adopt the one weapon or the other, according as he happens to be more struck by the violation of reason, or the outrage upon morality. Mr. Moore has been more affected by the former than the latter ; and accordingly it is in the laughing vein that the Exeter Hall proceedings are attacked in the amusing volume which has suggested the preceding remarks. For the majority of those who say ‘amen’ to the prayers of Dr. Holloway, and cry ‘bravo’ at the close of Mr. O’Sullivan’s pericops, this light discipline is unquestionably the most appropriate. Solomon recommends no harsher instrument of correction for fools, than the rod of schools and nurseries ; and where the fools are for the most part of the feminine gender, even the mildest chastisement ought to be playfully administered. Women are privileged to be absurd ; and women—sweet enthusiasts—compose the main body of every modern crusade. Some are of opinion that this predominance of the sex at every convocation of the Orange dominations and virtues, is to be ascribed as much to fashion as to fanaticism ; others account for it by the natural tenderness and pity of woman, which lead her by a strong and secret sympathy

to make common cause with weakness; others are of the same mind upon the subject as Mephistophiles, who observes,—

‘ The women fancy, and the fact is
Confirmed, or often so, in practice,
That their admirers most are found
Where your religious men abound.—
Love is almost the same emotion :
The devotee—such is their notion—
Thus for the sex feels true devotion,
Courts amorous thoughts and mystic dreaming,
Is led by priests, and follows women.*’

Mr. Moore seems to be of the same way of thinking; for our old acquaintance, Miss Biddy Fudge, who is here reproduced as the representative of piety in petticoats, is sadly distracted between earth and heaven, and mixes the carnal with the spiritual in a very diverting manner. Her anxiety is of the tenderest kind about the ‘ spiritual state’ of a gentleman with whom she has recently become acquainted, and who, in addition to a soul to be saved, happens to have a person to be admired. She exclaims with a holy warmth,—

‘ Heigho! what a blessing should Mr. Magan
Turn out, after all, a “renew’d” young man,
And to me should fall the task on earth
To assist at the dear youth’s second birth.’

The idea of a marriage with this Mr. Magan then occurs to her;—

‘ Not *this* world’s wedlock—gross, gallant,
But pure,—as when Amram married his aunt.’

The difficulty arising from disparity of years is ingeniously overcome by reference to the doctrine of regeneration.—

‘ Our ages differ—but who would count
Our natural sinful life’s amount,
Or look in the Register’s vulgar page
For a regular twice-born christian’s age,
Who, blessed privilege! only then
Begins to live when he’s born again.
And counting in *this* way,—let me see,—
I myself but five years old shall be;
And dear Magan, when th’ event takes place,
An actual new-born child of grace.’

Mr. Moore, however, is equally sportive in his castigation of the male performers on the Exeter-Hall boards. Selecting Mr. O’Mulligan, as the type of the class to which he belongs,—

the travelling agents of the great mercantile house of knave, fool, and company,—he thus introduces him to the reader.

' He comes from Erin's speechful shore,
 Like fervid kettle, bubbling o'er
 With hot effusions,—hot and weak ;
 Sound, Humbug, all your hollowest drums,
 He comes, of Erin's martyrdoms
 To Britain's well-fed Church to speak.
 Prepare, ye wealthier Saints, your dinners,
 Ye Spinsters, spread your tea and crumpets,
 And you, ye countless Tracts for Sinners,
 Blow all your little penny trumpets.
 He comes, the reverend man, to tell
 To all who still the Church's part take,
 Tales of parsonic woe, that well
 Might make ev'n grim Dissenter's heart ache :—
 Of ten whole Bishops snatched away
 For ever from the light of day ;
 Of rectors cruelly compelled
 From Bath and Cheltenham to haste home ;
 Because the tithes, by Pat withheld,
 Will not to Bath or Cheltenham come ;
 Nor will the flocks consent to pay
 Their parsons thus, to stay away, —
 Though with such parsons, one may doubt
 If 'tis n't money well laid out.
 Such are the themes this man of pathos,
 Priest of prose, and Lord of bathos,
 Will preach and preach e'ye, till you're dull again.
 Then hail him, Saints, with joint acclaim,
 Shout to the stars his tuneful name,
 Which Murtagh was, ere known to fame,
 But now is Mortimer O'Mulligan '

This is excellent in its vein. O'Mulligan represents a group of individuals, who are at least as immoral as they are absurd, and who are therefore as fit objects for the scourge of a Juvenal or a Dryden, as for the gay castigation of the author of *Lallah Rookh*. They deserve the barbed point of the arrow, and Mr. Moore only tickles them with the feather.

To describe them justly, it should be first observed, that their bigotry is only affectation, and the balderdash of their speeches and sermons, only the vehicle in which they convey the maxims of political corruption, and the code of discord which they have substituted for the law of peace and charity. They are apostles of mischief, and missionaries of a very different dispensation from that which good men discover in the

New Testament. They disseminate ill-will, as sedulously as ever the first founders of the religion which they dishonour, propagated loving-kindness. They attack the error, with a language which shows that they hate the person infinitely more than the heresy; and it is clear that they would tread down opinion, if their power and their will were equal quantities. If the minds of men are at all discoverable from their words and their doings, the thoughts of these persons revert with many a sigh to the days of Laud and the sanguinary glories of the Star Chamber. They talk of the Catholic clergy in a tone pretty distinctly significative of a desire to dock their ears and slit their noses: they address themselves to the Catholic prelates after a fashion which demonstrates their secret longing to revive the tortures of Milbourn and Leighton in the persons of M'Hale and Murray. The spirit that moves them seems to have come up from Moloch; it belongs to the days of the League and the Sicilian Vespers. They inherit the genius of those very ages, whose atrocities they rake out of forgotten histories, to eke out their tirades against the popery of the present day. The difference between the intolerance that hunted the Vaudois, and the intolerance that hunts the Irish, is the difference between the power of the Duke of Savoy in 1654, and the Duke of Cumberland in 1736. The pack of the Portman Square kennel are the 'bloody Piedmontese' of their generation. It is not half so plain that Dens or any other Romish theologian teaches persecution as a doctrine, as that such divines as Mr. Marcus Beresford and Mr. Ryder pursue it as a practice. The days of Castlereagh are gone by; the triangles exist only in the annals of Orange ascendancy; the fashion of party theatricals is changed, and hope there is none of reviving the hideous drama of the last rebellion;—but the heart that exulted in the popular sufferings of that era has not ceased to beat; the *animus* of the Riding-House has survived its occupation; and the land is still the prey of a relentless faction, composed of saints, aristocrats, and churchmen,—a triple alliance against the rights of the people and the peace of the community. The Orangemen have as many modes of annoying the empire as Æsop's fox had stratagems. They are seen now as landed proprietors, exterminating their Catholic tenants for electioneering purposes; now as magistrates, refusing to take informations against some Lutheran rioter, or orthodox assassin; now in the capacity of clergymen,

'Granting like hogs till they have got their grains;'

either militant, as in the time of Lord Stanley; or litigant, as at present when they have fallen upon the evil days of Lord

Mulgrave, who denies them files of soldiers, and refers them to the files of the Exchequer. Now you see them as sheriffs, packing juries from the lodges; now as jurors, convicting against evidence; now as judges, charging against law, and adjusting their sentence to gratify the spleen of party. It is one and the same interest that peoples Carlow with midnight insurgents, strews the plain of Gurtroe with victims, and crowds the assembly-rooms, on both sides of the Channel, with fashionable enthusiasts and blooming bigots. The same mind actuates the whole body, whether homicidal in the rioter of Enniskillen, predatory in the alderman of Cashel, or vagabond and vociferant in the person of Mr. O'Sullivan. The system wears as many colours as diversified Joseph's coat,—the churchman's sable—the soldier's scarlet—the corporator's orange—the police-man's green—the grand-master's purple. To understand the sanctity of the present day,—to estimate the Protestantism of Exeter-Hall correctly,—you must investigate its friendships and alliances; you must observe the interests which it espouses, note the places where it abounds, remark the causes which it abets, and the deeds which it sanctions. If you see it only discussing apocalyptic mysteries in a peeress's drawing-room, or composing twaddling paragraphs upon the growth of Popery in the 'Record,' you may be deceived into the notion that it is merely a harmless fanaticism. But

'The soirées of Powerscourt so justly renown'd
For the zeal with which doctrine and negus go round;
The Theology routs which the pious Lord Roden,
'That pink of Christianity,' first set the mode in,'—

are only the recreations of the faction; and there may be said of them what the Roman satirist says of the diversions of the tyrant,—

'Utinam his potius nugis tota illa dedisset
Tempora sævitæ'.

If our saints would limit themselves to Calvinistic controversies and researches after lost tribes, they would be pardonable and insignificant; but unfortunately nonsense is only half of their system,—the other moiety is mischief.

The style of these 'reverend rigmaroles' at the Exeter-Hall meetings, and their method of making converts by scolding and flinging dirt, is capitally described by Larry O'Branigan, (foster-brother and valet to Master Murtagh), in his second letter to his wife Judy.—

'But, throth, I've no leisure just now, Judy dear,
For anything, barrin our own doings here,

And the cursin', and dammin', and thundrin', like mad,
 We Papists, God help us, from Murthagh have had.
 He says we're all murtherers,—div'l a bit less—
 And that even our priests, when we go to confess,
 Give us lessons in murthring and wish us success !"

This is not a more humorous than just account of the O'Sullivan way of recommending Protestantism. But Larry proceeds ;—

'When axed how he dared, by tongue or by pen,
 To belie in this way seven millions of men,
 Faith, he said 'twas all towld him by owld Docthor Den !
 'And who the devil's *he*?—was the question that flew
 From Christian to Christian, but not a sowl knew.
 'While on went Murthagh, in iligant style,
 Blasphaming us Catholics all the while,
 As a pack of desaivers, parjurers, villians,
 All the whole set of the aforesaid millions,—
 Yourself, dear Judy, as well as the rest,
 And the innocent craythur that's at your breast,
 All rogues together in word and deed,
 Owld Den our instructhor, and sin our creed !'

A very pleasant history might be made of the different methods of proselytism that have been employed from time to time for the spreading of the Reformation in Ireland. The narrative would afford matter for quite a new theory on the adaptation of means to ends. The system most in vogue at present seems to be that of scolding. The Socratic method of arguing has been laid aside ; and our devout dialecticians have substituted for it what may be called the method of Xantippe. The Exeter-Hall syren is a shrew ; and by our old law is due to the ducking-stool. The Catholics, however, no more than Petruchio, are to be driven from their positions by tongue-battery. They have heard—

—'great ordnance in the field,
 Loud larums, neighing steeds, and trumpets clang,
 And do you tell them of a *parson's* tongue?—
 Tush ! tush !—fright boys with bugs.'

They have stood the fire of the Church militant, and the processes of the Church litigant, and they will scarcely surrender their faith to the Church termagant. The Catholics look upon these biblicals of Billingsgate, (who, because the Apostles were fishermen, seem to think that the Gospel ought to be preached in the language of fish-wives), pretty much as the gallant Montrose regarded the Scotch clergy of his day, who flocked about him after his sentence, to edify and insult him. 'They pronounced his *damnation*,' says Hume, 'and assured him that

the judgment, which he had so soon to suffer, would prove but an easy prologue to that which he must undergo hereafter. They next offered to pray with him [exactly the proceedings of Dr. Holloway and his reverend brethren, at the Dens meetings], but he was too well acquainted with those forms of imprecation which they called prayers,—“Lord, vouchsafe yet to touch the obdurate heart of this proud incorrigible sinner; this wicked, perjured, traitorous, and profane person, who refuses to hearken to the voice of thy Church.” Put the word ‘Papist’ for ‘sinner,’ and for ‘hearken to the voice of thy Church’ read ‘pay her tithes,’ and you have here, almost to a letter, one of those ‘imprecations which they call prayers,’ that usually close Exeter-Hall diversifications, and which Larry O’Branigan calls, ‘fit finish to job so devout.’

Mr. Moore gives in a note a couple of extracts from the Exeter-Hall speeches, admirably illustrative of the Xantippe style of reasoning now the mode. The first is from a harangue of the Rev. Mr. M’Ghee, ‘moral agent’ to the house of Wingfield.

‘The deeds of darkness, which are reduced to horrid practice over the drunken debauch of the midnight assassin, are debated in principle, in the sober morning religious conferences of the priests.’

The second specimen is from the lips of the Rev. Robert Daly.

‘The character of the Irish people generally is that they are given to lying and acts of theft.’

It is surprising that, by the use of language thus offensive and indecent, these brawlers have not long ago produced a universal conviction that they are actuated in their doings by some of the most vicious motives that can influence human conduct. The vizor is transparent. The garb of the enthusiast ill conceals the character of the incendiary. Not all the nonsense of the theologian, can hide the knavery of the partisan. Their bigotry is evidently the bigotry of affectation. Their fanaticism is only a masquerade dress; and it is a bad one, for it does not disguise their faction. How extreme is the simplicity, that believes in the apostolic designs of men who speak with the tongues of bullies and oyster-wenchers, and embellish their sermons with the flowers of the shambles. It is surely zero on the scale of intellect, to entertain for a moment the idea that an eloquence which adorns itself with ‘assassin, thief, and liar,’ can seek the welfare, either temporal or eternal, of the persons to which it applies those ribald epithets; or can have

any object in view but to inflame the passions of one party, and outrage the feelings of another. If these men have any inspiration, it is of a kind that has ascended, not descended, upon them. There may be two sorts of ghostly influences; there may be a day of pentecost for cloven feet, as well as for cloven tongues.

Mr. Moore, as the poetical scourge of saint-craft and priest-craft, walks in the path of Swift; and although he treads it with quite a different pace and mien, he treads it not unworthily. A comparison between two writers, natives of the same country, both poets, both patriots, and who both occupied their pens with whatever was either preposterous or unprincipled within the range of their observation, suggests itself inevitably. Mr. Moore as well as the Dean of St. Patrick's, has both in 'prose and numerous verse,' asserted the rights, mourned the wrongs, and lashed the oppressors of his country. His niche in the temple of fame should be, if not by the side, at least directly under that of the author of the *Legion Club* and the *Drapier's Letters*. He differs from his immortal predecessor, more in the weight than the splendour of his weapon. The satire of Mr. Moore is to that of Swift, what the light scymitar of Saladin was to the trenchant blade of Richard. The vein of the former is playfulness; that of the latter indignation. The prevailing strain of Mr. Moore is pleasantry, and it is in that quality his force consists. Swift is only merry in the intervals of his wrath, and when he is fatigued with punishing. Perhaps the former has as keen a discernment as the latter of mere absurdity, and is equally effective in dealing with a simple blockhead. It is where vice is to be dealt with, either pure or in combination with folly, (the state in which it is found most commonly,) that the deeper penetration and loftier tone of Swift is wanted to expose and to chastise. His poetical magistracy is of a higher jurisdiction. He is essentially a moralist, and his commission is more to vindicate virtue than to avenge reason. Injustice—hypocrisy—avarice—oppression—the selfishness of a faction—the profligacy of a minister—the venality of a parliament—the worldliness of a prelate—the covetousness of a general—the corruption of a judge—these are the game of Swift. Mr. Moore prefers the chase of the follies and the humbugs; he has the true sportsmanlike relish for a booby peer, or a twaddling baronet. Nobody is a better shot at a dunce in a star and garter. The assembling of the Lords' House, or an Exeter-Hall convocation, is to him what the first of September is to the heroes of the fowling-piece.

Then is the season for blockhead-shooting; he has a merry autumn before him; and day after day does he return with his pouch full, often bagging twenty brace of bigots in one day's shooting. The Dean of St. Patrick's would see in the proceedings of these people more matter of angry contempt than of gay ridicule. He would assail the knavery, at least as much as the 'fudge.' He would pluck up the political corruption that lies at the bottom of their fanaticism. He would drag into view the vice that moves the puppet-show of the folly. He would strip the falsehood, and exhibit Duessa in all her hag-like ugliness,—an object more of execration than of mirth,—exciting our disgust more than our risibility. The Orangeman would be represented as he is seen in the Report of the Select Committee of last Session; and his cant would be the least of his crimes and misdemeanours.

The same sportive turn of mind which leads Mr. Moore to empty almost his whole quiver upon the extravagancies and buffooneries of the enemy, reserving but few of his arrows for their vices, affects the construction and march of his versification. His satirical rhymes differ from those of Swift, in a manner analogous to the difference that has been just noted between the gamesomeness of the one mind and the austerity of the other. The verse of Moore trips along on a 'fantastic toe;' the light and jocund step corresponding perfectly with the jest upon a devout footman stealing a family-bible, or the "sweet experiences" of a godly milliner. The satirical rhyme of Swift is also a rapid movement, but withal steady and majestic; it may not unaptly be described as the versification of Dryden in quick march. In shorter measure, it has in numerous instances all the force, and it might be said, the 'energy divine,' of that great master.

The nearest approach to the peculiar force and manner of Swift which the volume affords, is perhaps a little piece in the Appendix, in which Mr. Moore takes advantage of a 'chairing' of the present representatives of the College of Dublin, in order to express the sentiments with which that institution seems to impress all men of genius who have had any acquaintance or connection with it.

Aye, yoke ye to the bigot's car,
 Ye chos'n of Alma Mater's scions!—
 Fleet chargers drew the God of War,
 Great Cybele was drawn by lions,
 And Sylvan Pan, as poets dream,
 Drove four young panthers in his team.

The classical Lefroy, for once, is
 Thus studious of a like turn-out,
 He harnesses young sucking dunces,
 To draw him as their chief about,
 And let the world a picture see
 Of Dullness yoked to Bigotry.

•Showing us how young college hacks
 Can pace with bigots at their backs,
 As though the cubs were born to draw
 Such luggage as L—fr—y and Sh—w.
 Oh shade of Goldsmith, shade of Swift,
 Bright spirits whom, in days of yore,
 This Queen of Dullness sent adrift,
 As aliens to her foggy shore :—
 Shade of our glorious Grattan, too,
 Whose very name her shame recalls ;
 Whose effigy her bigot crew
 Reversed upon their monkish walls,—
 Bear witness (lest the world should doubt)
 To your mute Mother's dull renown,
 Once famous but for wit turned out,
 And eloquence turned *upside down* ;
 But now ordained, new wreaths to win,
 Beyond all fame of former days,
 By breaking thus young donkies in,
 To draw M. P.s amid the brays
 Alike of donkies and M. A.s—
 Defying Oxford to surpass 'em
 In this new " Gradus ad Parnassum."

ART. V.—1. *The History, Opinions, and present Legal Position of the English Presbyterians*.—Published under the direction of 'The English Presbyterian Association.'—London. 1834.

2. *An Historical Defence of the Trustees of Lady Hemley's Foundations; and of the Claims upon them of the Presbyterian Ministry of England*. By the Rev. Joseph Hunter, F.S.A.—London. 1834.

3. *An Historical Inquiry concerning the Principles, Opinions, and Usages of the English Presbyterians from the Restoration of Charles II. to the death of Queen Anne*. By Joshua Wilson, Esq.—London. 1835.

PPETER PLYMLEY long ago observed that 'there is a vast luxury in selecting a particular set of Christians, and worrying them, as a boy worries a puppy dog; it is an

amusement in which all the young English are brought up from their earliest day.' The propensity manifests itself in various ways, and if there could ever be misgivings as to the results of extending to all the fullest measure of religious liberty, or the policy of abasing the supremacy of Establishments, it would be when such proceedings as are discoverable from the above pamphlets furnish grounds for doubting, whether the loudest assertors of freedom from restraint are as yet fitted to receive and give it a fair course, and whether there has not been, and may not still be, some use, even to sectaries, in the maintenance of an authority, or antagonist principle, which may induce them to keep the peace one towards the other, or may at least preserve them within the bond of a common interest, such as that of resistance to oppression, and of struggle for emancipation.

It certainly is a curious thing, that till the Protestant Dissenters were, by the removal of their chains, enabled to take a higher tone towards each other, their various denominations fraternized wonderfully well. Though precisely the same discordant elements were brought together, they contrived to harmonize. Antinomian, Calvinist, and Arminian, Trinitarian and Unitarian, Baptist and Pædo-Baptist, fought the common enemy with great unanimity; but the moment they ceased to be 'worried,' the appetite for the 'amusement of worrying' arose. The zealous party among them, at once chose the Court of Chancery as their tormentor; and it was soon found to be a very convenient instrument for scraping consciences,—for whetting the edge of statutes forgotten by those in whose interest they were made,—and for the gratification of all the venom and bitterness of theological animosity.

Hence have arisen the curious discussions in and out of doors, which fill the pamphlets at the head of this Article, and many more with which the reader will not be troubled, though they are not without their interest. The first on the list, in particular, fills up a department in Ecclesiastical history hitherto, as far as known, quite vacant for the general reader.

From a brief display of some of the essential points of the dispute, some judgment may be formed of the temper and spirit still animating the disciples of the Genevan Reformer, now honoured most where his creed originally grew and flourished.

The leading historical features of the two sects of Presbyterians and Independents during the Commonwealth are so well known, that it is useless to dwell upon their respective positions at that time. The English Protestant Dissenters only date

their history from the Act of Uniformity in 1662. The ministers then ejected from the Church, were nearly all Presbyterians. They had only sought modifications in church discipline; the Independents on the contrary kept aloof, as being on principle opposed to all church establishments. The great body of Dissenters of those times, to the end of the century, were led by these ejected ministers, men of learning, virtue, and piety; and under their auspices, and those of their immediate descendants, most of the old Dissenting chapels and other trusts were founded, after the date of the Toleration Act. The name of Presbyterian was retained, though it really had lost its distinctive import, no attempt at church discipline or presbyterian organization having ever been attempted.

Among these men, a very different spirit soon appeared, from that which had animated the severe and narrow system of the early puritans and the Scotch Presbyterians. They had learned wisdom from adversity. The 'creed-making age,' they said, was over; and their works began to breathe a spirit of charity and benevolence,—of tolerance for what they considered error,—of preference for the practical over what were considered the doctrinal or dogmatic precepts of the gospel,—of resistance to all impositions in the way of creeds and subscriptions. It is difficult to imagine a more refreshing progress in christian feeling, than that which took place in the mind of the great Presbyterian Baxter, as traced in one of the present pamphlets. His successors merely advanced the work he had begun.

Under the zealous opposition manifested at the commencement of the last century by the immediate descendants of these men, to all sorts of imposition or restriction upon the religious speculations of individuals, lurked, as might naturally be supposed, a practical and gradually increasing relaxation of their belief on doctrinal points. Baxter had embraced a peculiarly modified doctrine which usually bears his name. Arminianism next appeared; Arianism also very soon became prevalent, and the writers of the day, of various persuasions, continually charge the Presbyterians, if not with fostering, at least with taking no steps to oppose it. In fact they had a fellow-feeling with the Latitudinarian divines of the Church of England. Their academies allowed the same liberty of free inquiry. The ministers who issued from them, went, as might be expected, further than their predecessors; before the middle of the century heresy was universally prevalent, and long before its close the English Presbyterians were in fact almost every where Unitarians. Their numbers have greatly fallen away, for the style and tenor of their preaching and doctrine were little

adapted to popular predilections, and those among them whose progress was not of the same character, gradually seceded and joined the orthodox sects.

The Independents had meantime, by restrictions studiously directed to that object, maintained the right line and rule of their creed. Their zeal for liberty and free inquiry in matters of religion, was hemmed round by a prohibition against passing the narrow circle of Calvinism in the exercise of it. Their doctrines have been more popular, and their vague name, (or the still vaguer one of 'Congregationalists,') now extends over a vast body of persons; a great proportion of their churches, however, are of very modern origin, having nothing whatever of descent from or connexion with the old Independents, but arising out of the excitements of Wilkfield and the contemporary Methodists.

For a time after the Toleration Act, the two bodies of Presbyterians and Independents endeavoured to form (with the Baptists) one body for almost all Protestant dissenting purposes, religious as well as civil. But the Union could not be maintained long. The habits, acquirements, and opinions of the two bodies seem to have been radically different in many essential particulars. The Presbyterians looked with jealousy on the stiff creed of the Independents, who in their turn were busy challenging the orthodoxy of the former. A separation therefore took place very early in the eighteenth century, (about 1706), and each body has ever since had its distinct and regularly continued board of management. Heresy (or the desire to *choose*) then grew more and more prevalent among the Presbyterians; and at last the consistency of their adherence to their great principle of freedom in the interpretation of Scripture was put to the test, by a solemn discussion among the ministers in London in 1719, upon the question whether restraint should be imposed even in support of the doctrine of the Trinity, then no doubt conscientiously held by nearly all. The attempt to protect it by subscription, was consistently negatived by a majority of four. In the words of Sir Joseph Jekyll, afterwards Master of the Rolls, one of their body, 'The Bible carried it by four.' From that day the English Presbyterians, without discussion or doubt, have, as a body, had no creed. Various shades of opinion have been at different æras prevalent among them: but their ministers and congregations have been left perfectly unshackled. They have consistently and thoroughly acted up to the Protestant principle of 'the Bible only' being their religion, and the Bible interpreted by every man's light and conscience for himself.

Their Chapels and Endowments have been settled in confor-

imity with this principle, the only one which any Protestant Dissenter can consistently adopt. For every Endowment, which restrains his own freedom or that of his successors, is *pro tanto* an Establishment, of the most odious sort. The Presbyterian trusts were most of them formed while the early congregations were what is now called orthodox, at least as regards the doctrine of the Trinity; though their opinions were much modified in other respects from those of the Assembly of Divines. They, however, laid down no class of opinions as attached to their trusts. They did not put their creed, whatever it was, into mortmain. The chapels are almost universally declared merely and simply to be for the worship and service of God by the congregation assembling therein. They and their immediate ancestors had resisted restraint on themselves. They had left the Church to avoid it; and to have imposed it on others would have been at least grossly inconsistent. These foundations have generally speaking been possessed by succeeding generations in the same families. In the very days of the early founders and immediately after, great changes took place in the opinions and modes of doctrine to which these Chapels and Endowments were applied. No one then complained of such appropriations, as breaches of trust, though it may well be supposed, that the intent of the founders was then best known; and it was reserved for zealous men, of a 'creed-making' denomination, more than a century afterwards, to undertake the task of forging restrictions on what the founders left, and (if they were consistent and honest men) could *only* have left, free and unshackled.

The state of the law in England had for a long time a restrictive bearing on the heretical Dissenters. Under the Toleration Act, nonconformists were supposed to subscribe to all the doctrinal articles of the Church, though in fact, no one did so; and impugnors of the Trinity were expressly branded. In 1779, however, the Legislature directly sanctioned the Presbyterian principle of following only the scriptural rule; for it then abolished the subscription to the doctrinal articles, and substituted a mere declaration that the party adopted the scriptures as the rule of his faith and practice.

Taking care therefore not directly to impugn the doctrine of the Trinity, the Unitarian congregations had from this time at least, even in legal theory full liberty for their worship; and in 1813 the penalties on their heresy were altogether removed, and their chapels had all the privileges of the Toleration Act extended to them.

During all this period there is a clear and constant line of

distinction between the two great divisions of the Dissenters, the latitudinarians and the exclusives. The one, refusing all imposition and restriction upon religious liberty; maintaining that liberty, at first without any very material practical deviation from the standard of the most powerful, which is the orthodox, but always in fact moving gradually in a heretical direction; and at last arriving (like the Genevan establishment, and by nearly the same stages), at a state of relaxation, extremely offensive, it appears, to the nostrils of their brethren of a different way of thinking. On the other hand is seen the 'Independent' body, cautiously adhering to the standard of their old exclusive creed; taking all prudent effectual steps for its preservation, and pursuing a course in these respects directly opposed to the practice and spirit of the English Presbyterians. 'The longer and shorter Catechisms are,' according to the confession of one of their most respectable men quoted in the first pamphlet, p. 147, 'the depositaries of all knowledge and the termination of all inquiries.'

During all the period of nonconformist proscription, from the æra of qualified protection granted by the Toleration Act until comparative liberty was attained in 1828, these two bodies are found drawing together in outward harmony, in the united assemblies both of their ministers and laymen for civil purposes; neither party having, or stating, any doubts as to each other's proper identity and representation, and each by its public acts and representations, vouching for the other's character and pretensions.

Immediately after the victory obtained by united efforts against the common oppression, some zealous leaders of the orthodox Independents seem to have formed the novel design of putting heretics into the Chancery penitentiary;—of stopping their wanderings by injunctions;—of swarming into their brethren's hives;—and of ejecting the modern sect of Presbyterians *en masse* from every chapel and trust they possess, by asserting that they (the exclusives) are the true representatives of the old latitudinarian body; which from the earliest time has been as much opposed to them as it is now, in the principle on which it proceeds, if not in the consequences to which that principle has led. All that can be charged against the Presbyterians is, that they have made their principles an active one, and have left it to its results; that they have not talked of mental freedom, while they wore and imposed the heavy shackles of creeds and confessions.

• The cases hitherto brought before the Courts and the public are two. The first is that of Lady Hewley's Charity. She was

a Presbyterian, connected by kindred and by social intercourse with the leading Presbyterians of the liberal school. Her own minister left his congregation Arian, and was therefore, there is little doubt, not very different himself; and her family followed the course of other Presbyterians. In 1704 she founded and endowed a Charity for 'assisting poor and godly preachers of Christ's Holy Gospel, and for educating students for the ministry;' and also Almshouses for 'poor and godly widows,' who were to be of the Protestant religion, and who could repeat the Lord's Prayer, the Creed, the Commandments, and the Catechism;—not the 'longer' or 'shorter' of the Assembly,—but that of a Mr. Bowles, a minister of her county.

This catechism is curious, as being obviously a first step from the severity of Calvinism; for it is a cento of Scripture phrases, about which every one might use his own powers of interpretation.

In Lady Hewley's day, there were very few 'Independent' congregations within her range. She probably never contemplated any but the class of persons among whom she moved, as likely to partake of her bounty. But in fact, the Presbyterian congregations fell off; Independents increased, and the trustees, acting in her spirit, administered her bounty equally among all, including the Baptists; and the Presbyterians receive, in truth, only a small proportion of the Charity flowing from one of their own denomination.

This, however, does not satisfy the Independents; they are not content with a share, they must have the whole of the lady Presbyterian's substance;—the godly ministers, students, and old women, must digest 'the five points.' They appeal to the Court of Chancery to lay down a creed for the foundress, who has herself declared none; and they appeal to the state of the law in her day, as forbidding the presumption that her creed and intent were or could be otherwise than orthodox.

The result of this proceeding, if successful, must be to exclude all that class of persons among whom the foundress moved, her own descendants, and all those who, by acting faithfully and freely on the principles of scriptural freedom which their forefathers, her friends and associates, avowed, have deviated from what may be in any way proved or conjectured to have been her private conclusions on doctrinal subjects, or from what may be inferred from penal laws which honest Dissenters must at all times have resisted and denounced, instead of making them the standard of their institutions.

The next legal experiment has been with reference to a Chapel founded at Wolverhampton, early in the last century,

in the widest possible terms ; with no sort of indication of what were the personal opinions of the founders ; and certainly possessed for near sixty years by Unitarians, and largely added to by their subscriptions. At present the decision of the Court in this, as in the other case, is, that *some* doctrinal intent on the part of the founders must be presumed ; that they must be inferred to have been *orthodox*, and to have meant that their descendants should remain so ;—in other words, that they must be held to have professed and practised liberty, and to have bequeathed it to their successors with this trifling restriction—that in the exercise of it they should never move an inch beyond the ground on which they started.

It must always be borne in mind, that at the date of these endowments, every sort of controversy—even the Trinitarian—was already public and notorious ; so that the founders had the danger fully before them, and the same means as the Independents used for providing against it, if that had been their wish. All the difficulty made in the Court of Chancery, or anywhere else, about these trusts, seems to be capable of exceedingly easy solution. In a common-sense and moral point of view, it is not only a useless task, but one totally inconsistent with the principle and nature of such foundations, to endeavour to spell out, or prescribe, and apply a fixed creed to voluntary associations of persons laying down none for themselves. They meet as societies for other purposes do, and arrange their rules and other matters of internal discipline for themselves ; and when they disagree, the minority must yield to the majority, or retire and practically carry their dissent elsewhere. The presumption must surely be, that a consistent Dissenter, of all persons in the world, means (unless he stultifies himself by expressly declaring the contrary,) to allow to others and to his own posterity, the same liberty as he claims for himself. By building a house instead of hiring one, he surely does not mean to bind himself from thinking and from changing his mind hereafter if he pleases. On any other supposition, the little Establishment he creates, is far worse in principle than the great one from which he secedes ; for the law which made that, can unmake or alter it, and has done so. The Protestant at this day holds the Catholic endowments ; whereas, on the Chancery doctrine, where the tree fell, there it must lie, and whether for good or evil. As it was in the beginning, it is now, and ever shall be, as to every village conventicle. If a leading principle of construction of such Charities is to be sought for, can anybody doubt that the governing principle of a Dissenting institution, which does not in so many words

prescribe a peculiar scheme of doctrine, should be held to be the Dissenting—the Protestant—principle of unrestricted liberty; and that the leaning should be to extend rather than restrict its operation?

It is a material feature of the case, that in the very days of the founders when these changes and relaxations began, and in the days of their first descendants when they were carried further,—when the principles and intents of the founders must, if ever, have been perfectly well known,—no opposition was made to congregational freedom, even by those whose opinions did not move in accordance with the rest. It was reserved for a century afterwards to make the discovery, that this license was expressly prohibited and contrary to the original nonconformist design. Independently of this argument, drawn from the possession and acquiescence of a century, nothing can be imagined more inconvenient than to inquire at so remote a period into the opinions of a founder, who has set the Court at defiance by concealing them,—and further, to determine what parts and portions of his creed are to be held essential, when among all classes of believers there has been more or less of change.

It appears that the lawyers are much gruelled by an argument, which exactly suited the calibre of Lord Eldon's intellect, and was accordingly first promulgated by him. It is said, that the legal toleration of the founder's day, extended only to such Dissenters as came within the doctrinal standard of the Church, and that the founders must be presumed to have contemplated freedom of inquiry within the bounds of what was in law innocent, and therefore all foundations before 1813 must be held to have been orthodox. That such an argument, giving a new sting to persecuting laws abandoned by the legislature long ago, should come from the mouths of brother Dissenters, or be used by them for their own gain, is lamentable enough; seeing that, instead of fulfilling the founder's intent at which these proceedings pretend to aim, it would often go, by construction of law, to take away endowments where the founders are known to have been at the time in the full odour of heresy. But what is there in the supposed difficulty, which any Judge of common sense could not brush aside as mere quibbling and sophistry? It may be true, that the persons occupying an endowment, framed on the broadest basis, and without limitation as to religious opinion, would be restrained in their enjoyment by the civil restrictions and regulations which the law should from time to time lay down as to such societies; but when those restrictions are removed or altered, can there be the least doubt that, in these as in all social, scientific, and commercial institu-

tions, the enjoyment opens with the enlargement of the law. If it were otherwise, there are few of our schools, hospitals, and public foundations of infinite variety, which would not be crippled and bound down to the state of science, or rather ignorance, of their founder's day. Such a construction of law as is proposed to be applied to the case of religious endowments left free by their founders, would make the world stand still, and exhibit a powerful warning against the foundation of any permanent institutions, as calculated only to be drags on the progress of mind and opinion.

The whole spirit of the relaxing statutes moreover is against any such construction. Can it be supposed that the legislature in 1779 meant only to relieve the posterity of the existing ministers and schoolmasters, and their future endowments? and again that the Parliament of 1813, when it opened to Unitarian chapels the protective provisions of the Toleration Act, believed or understood that by law there could be no such thing unless founded after its date? This certainly has not been the construction given to the Catholic Emancipation Act, as bearing upon pre-existent charities. If there be any legal doubt, surely the Legislature should interfere; and not let these disgusting discussions proceed, ministering, as they obviously do, to the worst and most anti-social passions of man's nature.

But however the legal rule may be, it is at first view very difficult to see why the 'exclusive' body should trouble itself to step forward to set in order the houses of their 'latitudinarian' brethren. This mystery is, however, solved by the singular assertion which the 'Independents' make, of a right of succession or representation to the escheated charities. The goods of the church, are always the inciting demons in these exhibitions of religious zealotry. If there be any more peculiarly forcible argument for the 'voluntary principle,' it is that it would relieve churches from all temptation to make such exhibitions. Can it be that these proceedings are a *ruse* on the part of the Independents, with the design of making the wholesomeness of this ecclesiastical principle, practically manifest even at the expense of their own reputation?

The impolicy and inconsistency of such proceedings are obvious enough, when viewed in connection with the contemporaneous efforts of the same parties for obtaining a participation in the benefits of the Universities and other Institutions, founded certainly with no such intent. But the worst feature of the story undoubtedly is, the spirit thus displayed by the large and influential body principally implicated. What are men to understand by their professions of anxiety for the

removal of all establishments, as restrictions upon the voluntary and unbiassed expansion of religious principle, when they witness in the same quarter this 'fiery' outbreak of zeal in connection with property? If it arises from mere theological spleen and fanaticism, it is bad enough. It is sufficiently lamentable to witness Dissenters of the present day, moving upon grounds, and availing themselves (from the mouths of Council and Judges if not from their own,) of arguments and prejudices, which go to rob the nonconformist body of its brightest ornaments during the last century, and manifestly assume the exclusion, even from the Christian name, of Milton, and Newton, and Locke, of Lardner, Watts, Benson, Taylor, Enfield, Price, Priestley, and many other deservedly revered names? But though all this be bad enough, these transactions become doubly disreputable and alarming, as proceeding from such an influential body, if they are to be traced to cupidity of the property of other churches.

It may be feared, with Peter Plymley, that our only adequate protection against the outbreaks of religious zeal, must still be sought in the progressive improvement and moderating spirit of the age. The safety of the heretic 'depends upon the age in which men live, as well as on their religious opinions. Three hundred years ago, men burned and hanged each other for their opinions. Time has softened Catholic as well as Protestant; they both required it, though each perceives only his own improvement, and is blind to that of the other. We are all the creatures of circumstances. I know not a kinder and better man than yourself, dear Abraham; but you, if you had lived in those times, would certainly have roasted your Catholic,'—or your Socinian. Now, you will only put him into Chancery; and, with less disinterestedness than those who roasted, will keep him out of mischief by kindly relieving him of his property.

ART. VI.—*A Concise View of the Universitus, and of the State of Theological Education in Germany.* By Edward Robinson, Professor Extraordinary in the Theological Seminary at Andover.—Student's Cabinet Library of Useful Tracts. Edinburgh. 1835.

THIS is a most opportune republication, at a low price, of a valuable and useful work. Professor Robinson, a citizen of the United States of America, visited Germany, principally, it may be surmised, with a view to improving himself in the celebrated Theological Seminaries of that country; but he

appears not to have confined his note-book to the subject of Theology, for he has furnished many judicious observations on the singular literary character of the country, and also a short account of the constitution of the Germanic educational bodies, and the state of each University at the time of his visit. The book contains many useful hints to those intending to send their sons to any of these seminaries. But its republication will be much more important, if by pointing out the success attending the German system, it tends to improve the corresponding institutions of this country, to destroy the sectarian spirit and object they have assumed, to regenerate their original cosmopolitan character, and to restore them to that efficiency which will not only make them deserving the confidence of the British public, but the rivals, in the race of literature and honour, of the other Universities of Europe.

The work of reformation has been attempted ; but, as usual in England, at first unsuccessfully.

The last Session of Parliament is distinguished by three efforts to improve three of her Universities. One was made in the House of Peers ; and, as it came in the semblance of Reform, was, according to the practice of the House, thrown out. Earl Radnor did not see any visible connection between the Church of England and the study of the classics or mathematics ; he did not see that a youth should subscribe thirty-nine Articles which he had not been required to read and was not expected to understand, (the language is on the authority of the Episcopal Bench itself), before he could read Aristotle or open Euclid within the precincts of Oxford ; and he accordingly moved on the 14th of last July, in one of the ablest speeches for argument and research delivered during the Session in that House, that it should not be compulsory on students entering the University of Oxford to subscribe the thirty-nine Articles of the Church of England, but that they should subscribe them on taking their degree. The proper time, according to Lord Radnor, for a youth to take an obligation, is when he is able to understand it. Alas ! for the blindness of his Lordship and the fifty-seven who voted with him. Oxford is a national school for teaching the faithlessness of oaths. Her children, those who are to be the ministers of our religion, those who are to be the hereditary law-makers and right reverend Lords of England,—those who are to be the first class of fox-hunting squires, and by help of the bugbears of cheap corn and popery, representatives in Parliament,—are taught within her walls, that an obligation is not binding on them,—that it is a mere form and a trifle. A first impression, deepened in consequence of its being made in the seat of all that

is believed to be sacred in religion, high in morality, and illustrious in science, is engraven on their early minds, that there is no moral importance in preserving an obligation. This is a system which nineteen Fathers in God, and eighty-seven Lay Peers, declared should continue at Oxford. The mental reservation in regard to oaths, attributed of old to Roman Catholics, is better than this, in so far as an abstract sanctity of the obligation was acknowledged. The mental reservation revered the oath, though it evaded it. Oxford acknowledges it, and then openly and shamelessly breaks it. Which is most destructive to the morals of a country, open or secret perjury, will be left to the Fathers to decide.

Mr. Bannerman introduced a Bill into the House of Commons for uniting the two Universities of Aberdeen, and for incorporating King's and Marischal Colleges; which was immediately followed by a Bill for improving the University of Glasgow, by Mr. Oswald.

Fortunately it is not necessary in Scotland, that the student pass through the gate of a particular Church in his way to the University. It is not necessary that the Student shall sign the 'Westminster Confession of Faith,' before his name be enrolled in the Matriculation Book. A Jew, Hindoo, or Mohammedan may get a degree of Master of Arts or Doctor of Medicine in Edinburgh, provided he attend the Professor's Classes and pay the regular fees; but no Jew, nor Hindoo, no, nor Independent, nor Roman Catholic, nor Episcopalian, nor any one else can be a teacher, who has not signed the 'Confession of Faith,' and does not conform to the discipline of the Church of Scotland. The reason of the distinction, is that the former are the payers, the latter the payees. As Lord Radnord did not see it essentially necessary that persons should subscribe themselves Episcopalian before they could receive knowledge, so neither did Messrs. Bannerman and Oswald see it necessary that persons should write themselves down Presbyterians before they could convey knowledge; and, as the General Assembly has not yet declared that such a subscription is a trifling form not binding on individuals, it substituted a declaration not to injure the Church of Scotland, in place of an obligation to conform to its tenets and practice.

But Synods are not less intolerant than Chapters, and Moderators not a whit more liberal than Deans or Bishops. Accordingly the regular 'drum ecclesiastic' has been beaten in the North; Sessions, Presbyteries, Synods, and Commissions of the General Assembly have met, and, with a unanimity most wonderful for Church Courts, have declared against the Bills.

To be sure, the principal agitators and speakers at those meetings, have been Preachers who would rather be Professors; or Principals and Professors to whose laxity and incompetency the Bills will put an end. To be sure also, the present law is inoperative; insomuch as the Universities, South, West, and North, contain teachers who have never subscribed this famous confession, and rather than do so would resign their chairs, carrying, however, as their brethren well know, the glory,—and what would be by their Church opponents much more regretted,—the pupils, along with them; or who, although they *have* signed it, so far from conforming to the discipline and practice therein laid down, exhibit by their never entering the walls of a place of public worship at all, that they belong to no visible Church upon earth. All this is notorious; but nevertheless the Churchman and the freethinker have shaken hands and made common cause in support of intolerance, the Church, and that better bond of union their pockets; while the Tory, ever ready to smother improvement, has sent his political aid to this holy alliance. The cry of ‘Kirk in Danger,’ has been raised in the Highlands of Scotland; and—shade of Claver’sse!—the foremost amongst the loudest bawlers in behalf of the ‘Westminster Confession of Faith,’ are Tory Episcopalians. At the time that the Roman Catholic Universities are admitting heretics to chairs; that the Lutheran Universities are admitting the Roman Catholic, and even the Jew; that the Legislature of Britain is admitting all sects of religion to the same political privileges; at that time, in the present day, the Universities of Britain are openly departing from their original constitution, and making a united stand in favour of sectarian exclusiveness.

But although both Messrs. Bannerman and Oswald have been compelled to give way this Session to the clamour which has been raised against them by interested parties, they are not men to shrink from the duties which they conceive to be necessary and incumbent on them. Neither are the people of Scotland opposed to a very extensive change in their Universities. Wherever Town Councils, now fairly representing the sentiments of the public, have stepped forward, it has merely been to demand such a delay as would enable them to give the proposed alterations due consideration; Messrs. Bannerman and Oswald having introduced their Bills without having given any hint previously as to the contents. The people of Scotland complain sometimes, that their institutions are made the subject for experiment, the laboratory for testing any presumed improvement. It is so far lucky for them that it is

so ; for they are thereby incited to study their institutions, to examine their advantages and disadvantages relatively with those of other countries, and to calculate the probable effect of the proposed alteration. Their opposition is never, therefore, that blind fury, that hatred of change, which depends on an ignorance of the condition of that which is to be corrected, or of the correction to be made. The '*nolumus leges Scotticas mutari*' has never been a maxim in that country. The people, also, are rather given to calculate the profit and loss in a pecuniary view ; and if the students are found forsaking Edinburgh for Germany, the Edinburgh citizens will not say 'everything is for the best' and be satisfied ; they will look to that country, and model their own University by that which is more profitable among their neighbours. There is no doubt, therefore, but the Bills, sanctioned as the principle was by a second reading in the House of Commons, will be renewed next Session. Of the success of Lord Radnor no hope is to be entertained, until some martial Duke or Tory Leader making 'the pressure from without,' instead of reason and foresight, the guide of his policy, shall order the Peers of England to change their sentiments on a day's notice.

As it appears certain that the Legislature will take up the question of the Scotch Universities, this republication of Professor Robinson's Tract is so far excellently well-timed ; and it will be found well deserving of perusal, in as much as it unfolds shortly, and in a neat and elegant style, to the British public, the constitution and state of those Universities which have proved so successful in keeping up the literary character of Germany, and which are now drawing so many of our countrymen to their class-rooms. With every approbation of the general spirit of Messrs. Bannerman's and Oswald's Bills, they may still be deemed susceptible of considerable improvement ; and their authors would probably have made them better, had they previously read the American Professor's tract. Without entering into the details of the Bills, there will be pointed out for the benefit of University Reformers, some general principles deducible from the History of the Universities of Europe ; which will be noticed under the heads of Supervision, Teachers, and Degrees.

1. *Supervision.* Four of the Scotch Universities, namely St. Andrew's, Glasgow, Old Aberdeen, and Aberdeen, were constituted after the model of Paris and Bologna. The three first being Papal foundations, were endowed with the same privileges as the other Universities of Europe. The officers were a Chancellor, a Rector with Assessors or Assistants, and Deans of

Faculties. In some cases Masters, Regents, or Teachers, were directed to be appointed; in other cases all who took a degree were bound to teach for a certain time. In Scotland, a College for maintaining a certain number of poor students was generally established at the same time that the University charter was obtained. Colleges and Halls were termed by Lord Radnor in his admirable speech, 'excrescences which had grown out of the University.' Dr. M'Crie, in his life of Melville, points out the distinction thus.—

'A College bears a strong resemblance to a Convent. The principal difference between them is, that the latter was an association entirely for religious purposes, whereas learning was the chief object of the former. The members of a College, like the monks, were bound to live, eat, and sleep in the same house, they were supported in common upon the goods of the College, and were astricted in all things to the will of the Founder. A University, though a chartered body, was not under the same regulations, nor was the same provision made for its members. The College was within the University; the members of the former were also members of the latter, partook of its privileges, and were subject to its government.'

It is of importance to keep in view, that a University is distinct from a College; that the first has a corporation for certain national purposes, and that the second is a corporation for performing certain duties specified in the founder's will*. In England the students at the University were expected to live together in certain houses which were licensed by the University, where the students were under the control of some discreet and pious person, who was answerable for their private life and conversation. To many of these houses endowments in behalf of poor students were made, and hence the origin of the Halls and Colleges.

The most important officer in the Universities of Scotland was the Rector. He was elected by Procurators or Delegates

* It is stated in a petition from the Principal, Sub-Principal, and Professors of the University and King's College of Aberdeen, 'that the University and King's College is a private endowment by Bishop Elphinstone, and has continued so for three centuries.' Now certainly Bishop Elphinstone may have endowed a University with funds; but the Bishop never did, and never could, endow it with the privileges of a University. The learned body say, in regard to the Rectorial Court proposed for the University,—'That a Rectorial Court constituted and empowered as contemplated by the Bill, is an Inquisitorial Board unknown in any British College.' Here they use the term College; and it may be true that no such Board exists for any College, nor is it intended that there should be one. It does not appear whether they were ignorant of the difference between the terms University and College, or whether the intention was to mislead Parliament by a quibble.

chosen by the whole members, resident and non-resident, summoned for that purpose. The Rector and his Assessors formed a court, which acted in all civil, and often in criminal cases, affecting members of the University. It acted also as a body of supervision and control, suspending and dismissing students and teachers, and introducing such rules and regulations as were necessary for the discipline of the University. The Dean was the head of the Faculty, and conferred the degrees. The Chancellor was head of the University, and, in some cases, Judge of appeal from the decisions of the Rector.

For a long period, the offices of Rector as well as Chancellor have been entirely honorary, and the whole power, property, and patronage belonging to the University, have been usurped by the '*Senatus Academicus*,' a body not recognized in any charter, and composed of the Principal or Provost of the College, and the Masters or Professors. At what time this new power arose, is not very clear; but the hint no doubt was taken from that law which raised the heads of Colleges of the English Universities to the rank of an Academic Body, and committed to them the charge of the Statutes, and the right of initiating every legislative measure in the University. In Scotland this self-constituted body, recognized perhaps afterwards by royal visitations, have been allowed, by the remissness of Rectors and Graduates, to become the sole rulers and law-makers in the University.

By Messrs. Bannerman's and Oswald's bills, the Chancellor is still continued, principally as an honorary officer, but his office is for life. He is elected by the Senate, and he possesses a veto in regard to the dismissal of a Professor for improper conduct. Either no such power ought to be given to him, or he ought to be made at once a Judge of Appeal from the Rector, and his Court ought to be as open to the public as that of the Rector.

To the Rector and his Court extensive powers are committed. They are visitors of the University; they can censure or suspend Professors; nominate additional teachers; regulate the Curriculum; and dispose of all appeals brought before them from the Senate.

But just in proportion as extensive powers of supervision are granted to this body, is there a necessity that security be taken that it will execute in a satisfactory manner the trust confided to it. This security will depend on the constitution of the body in regard to 1st. its electors; 2nd. its numbers; and 3d. the qualifications of the individuals appointed. In the United University of Aberdeen it is to be composed of the Rector, to

be elected by the Professors, Students, and Graduates; of the Principal, the Dean, the Provost of Aberdeen, and three Commissioners nominated by the Crown.

1st. All experience tends to prove the advantage of a controlling and governing body, extra-academically elected. The great object in the early Universities, was to secure a Court, which although elected by the University, yet for its period of office might exercise extensive powers independently of it. Being chosen by all the mixed interests in the University, it was therefore less likely to support one to the prejudice of others; yet it was to a certain degree academical in its constitution, and in exact proportion to its being so, did it fail in its duties. In some places Professors must be elected Rector or Assessors, and in this case the Rectoral Court is merely another name for the Senate. Hitherto the election of the Rector has rested in reality with the Students, as constituting the far greater proportion of those qualified to vote; but a new class of electors is recommended to be introduced, or rather an old class, that of the Graduates, to be restored to their former privilege, in so far as to vote in the election of a Rector in all the Universities, and in some in the election of one Assessor. This is intended as a sort of damper to the fiery zeal of the Students; but were it desirable that the Assessors should be elected by any part of the University Body, most confidence might be felt in the proper exercise of this franchise if confined to the Graduates solely; for while they are without the personal motives that might direct a Professor in giving his vote, their age, their experience, their general knowledge, and their acquaintance with the world, render them much fitter depositaries of such a power than raw youths. Still it would appear to be very desirable, that a majority at least of the Court should not be elected by the University at all.

Great opposition has been made to the proposal of Commissioners named by the Crown. Now if security could be found that the nominees of the Crown would not be selected from the class of political tools or partisans;—that the Secretary for the Home Department, with whom the nomination would rest, either understood the important nature of this appointment, or, in the midst of his multifarious duties, would take time to make himself conversant with it, and to seek out and to select proper individuals for the situation;—it would be better to rest this power at once in the Crown. But as there is every probability that party motives would come into play;—that the Commissioners would be some local political friends, rabid for honour, and to be satisfied with this unsalaried, and thence,

they might suppose, more easily attainable post, and nominated at the request of the Member of Parliament for the city or county,—Mr. Bannerman's plan must stand over.

2nd. In a legislative and executive body, to diminish the numbers is to increase the responsibility, and consequently the efficiency. In the Italian Universities, the number of Prefects or Curators who were appointed directly by the State to superintend the Professors and students, and to promote the interests of these institutions, never exceeded five. In Holland the number of Curators to each University, and with whom also rested the patronage of the Chairs, was limited to four, with the addition of a paid Secretary. In Leyden, at the time of its greatest celebrity, one Curator was appointed by the nobles, and was one of their own body; two were nominated by the States; and the fourth was *ex officio*, the Mayor of Leyden. In Prussia, Austria, and Russia, the government takes the whole superintendence of the Universities; and the same unity of purpose, promptitude, and decision, are displayed in the management of these as in the other departments of the State; Professors are sought out, appointed, and dismissed, class-rooms shut up, fees curtailed, and curricula and terms altered *brevis manu*. Yet, notwithstanding all this despotism hanging over them, the Universities of Germany are at present in a more effective state, have a much greater average amount of talent, and are less of sectarian and local schools, than when government left the whole power in the hands of the University Bodies themselves. In the report of the Commissioners, the Rector's Court for the University of Aberdeen is recommended to be composed of four persons besides the Rector. And in none of the Universities should this number be exceeded.

3d. A great deal has been said in Church Courts and other quarters, in regard to the qualifications of Assessors; and much fear has been expressed that Crown Commissioners, Members of Parliament and Provosts of Burghs, might not be men of great literary attainments, or qualified from academical education to take the superintendence of the Universities. But in a body whose business is supervision and control, it is not necessary that all, or even the majority, should be individuals of high literary attainment. If this Court were also to have the patronage of the Chairs, then there would be a necessity for the members being themselves judges of literary merit; but as this is not the case, as their duties will principally be with money matters, with regulating fees, libraries, and museums, and punctuality in Professors, the Court should be composed of active, intelligent, business men, and not pedants or philosophers. Mr.

Hume when he visited Aberdeen as Rector, gave a specimen of what a controlling officer should be; and it is probably to avoid such active, searching, and practical persons in future, that a cry has been got up in favour of every learned Assessor. These last might be troublesome in regard to doctrines; they might, by their whims and crotchets, keep the whole Doctors of the University in a wrangle about an abstract question; but this would be tolerated provided they never interfered with that for which they were appointed,—the funds and practical government of the University.

All things considered, the constitution of the Rectoral Court proposed for the University of Aberdeen by the Commissioners Report, would be to be preferred, with one alteration; namely, one Assessor nominated by the Chancellor, one nominated by the Rector, (neither of these Assessors to be Professors), the Principal, and in place of the fourth Assessor nominated by the Senatus,—the Provost of the Burgh *ex officio*.

II. *Teachers.* With respect to the teachers there are two objects to be kept in view; first, appointing the person best qualified, and secondly, keeping him up to the proper pitch of efficiency during his incumbency.

1st. It is almost unnecessary to state, that according to the constitution of the Universities, all Graduates were entitled to become teachers in the University, that the very circumstance of their taking a degree was to render this imperative, and that, moreover, they were frequently bound by oath to this duty. Dr. M'Cree, who is good authority with regard to the Scotch Universities, states that—

'Originally, every Master of Arts was bound to teach a class, and came under an engagement to this purpose at his laureation. Afterwards it became customary to grant dispensation from this duty. When the number of graduated persons had increased, and it became in other respects an object of importance to obtain a regency, those who were desirous of it presented a petition to the faculty, in which they professed their knowledge of the text of Aristotle, and requested permission to explain it, or, in other words, to govern a class. They were ordinarily bound to continue until they had taught two classes; but at St. Andrew's the greater part of the Regents retained their situations, to which the profits arising from altarges or chaplainries were attached, until they obtained some place in the Church or in the State.'

These endowments were intended as a remuneration for teaching poor students gratis; but when the fees became a source of considerable emolument, the Teachers contrived to get themselves elected for life, and they took advantage of endowments, but omitted the conditions attached to them. The

Teachers were at first elected by the whole Members of the University or of the Faculty in which they were to teach, Graduates and even Students; but more generally by the Graduates alone. In progress of time, the Graduates either were not summoned to, or did not attend the University Meetings, and the Teachers, as resident Graduates, assumed the nomination of their colleagues. Thus was the present system of Academic patronage established in Glasgow and St. Andrew's.

Individuals by presenting sums to the Universities for Professorships, have obtained for themselves and their descendants the right of presenting to these chairs. The patronage of the Crown has been acquired by the same means, or by attainders, and confiscations of the property of individuals. In some cases the Corporations of Burghs have obtained a right to present, either by founding the Professorship, or by having been appointed Trustees by individuals bequeathing money for Professorships. Four classes of Patrons, therefore, exist in Scotland; namely, the Academic Body, private individuals, the Crown, and Municipal Corporations. To all these, objections have been made, but in a more especial manner to the first; and with the exception of Great Britain, there are almost no countries where Academic patronage now exists.

Messrs. Bannerman's and Oswald's Bills do away with patronage altogether, and the Professors are to be elected according to the appearance they may make at a comparative trial before the Professors of the corresponding branches of science in the other Universities of Scotland. As a general rule, this plan is unquestionably the safest and the fairest.

Whatever mode may be adopted in regard to appointing to vacant chairs, there can be no doubt that the present, which allows private individuals to name their relatives, or a collegiate body to nominate their own dependents, regardless altogether of their fitness for the duties of Professor, is the worst that could be devised, and should be immediately put an end to. The Italian Universities were the first to introduce the system of appointing Teachers for life; but the patronage was not left to the University. It was committed to the extra-academical body of prefects or curators. The German Universities were in the lowest possible state so long as the patronage rested with the Professors; but when the Government deprived them of this power, the Universities soon equalled those of Holland, which had grown to such eminence in Europe in consequence of their extra-academical patronage; and when religious tests, which had been allowed to creep into the Batavian seats of literature, had been removed from those of Germany, the latter

immediately rose to that high character which they at present possess.

Nothing on the first view of the matter appears more certain, than that the Professors would be the best patrons for offices in the University. Their reputation is connected with the Institution, their income is dependent in a great measure on its prosperity, they are bound by oath to promote its interests, and their situation makes them the best judges of the literary merits of those who are candidates for office. Yet though all this may lead to believe them qualified for the duty of patrons, experience shows that in reality it is not the case. Parties imbued with the most bitter and rancorous feelings of animosity exist; and to annoy their opponents, they frequently defeat measures which would be of the greatest service to the University generally. The Professors are seldom on visiting or perhaps even on speaking terms, and the meetings of the Senatus are not inferior in indecorum to any Assembly that can be named. In every election the most gross and notorious nepotism prevails; and frequently an adverse party concurs, in the expectation, or in the understood agreement, of getting the patronage of the next vacancy. There is a jealousy of superior merit; and no matter what glory and reputation the attachment of a man of great scientific eminence in the country might bring to the University, as such a light would diminish their own, they oppose him. In proof of this, reference may be made to the Scotch Universities, where this patronage exists; and it may be asked what man known to the public, except Dr. Chalmers, has been elected during this century by St. Andrew's Glasgow, or King's College Aberdeen. If an individual of high literary character become, by means of another patron, a Member of the Senatus, he is attacked in all possible ways, rendered uncomfortable and unhappy, and eventually hunted out of the University by the associated pack. Individuals engaged in other and more lucrative professions are elected Professors; and these persons either cannot compose and deliver lectures, or if they make a practice of doing so, appear so wretchedly deficient that pupils who could afford to pay fees will not attend. As the Professor does not feel himself bound to give his matter, such as it is, gratuitously, he very willingly shuts for ever his portfolio; follows, as he always intended to do, his calling of Minister, Attorney, or Physician; draws his salary as Professor at the regular period; throws up his hat for Church and King; and votes in the Senatus in support of the good old system and his blood relations.

2nd. Messrs. Bannerman and Oswald have done their best
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to procure the election of able Professors; but they have done nothing to keep these, when elected, up to the proper pitch; or the machinery they propose for this purpose is complex and cumbrous. On this point, they would have derived invaluable information from the perusal of Professor Robinson's tract. They would have found there a principle, easy, and at the same time more efficacious than all the clauses they could insert in their Acts of Parliament. That principle is—competition. That principle existed in the Scotch Universities before the usurpations of Professors; it exists in all the German Universities; and it exists to a considerable extent in one department of teaching in Scotland. Let Mr. Bannerman or Mr. Oswald enter the class-rooms of the private teachers of anatomy and surgery in Edinburgh or Glasgow, and he will find them filled with young men listening most attentively to the remarks of the teacher. Let him enter an hour afterwards the Professors' class-rooms in the University, and he will find the seats half empty, and the students, many of them the same as he had seen in the private class-room, yawning listlessly or sound asleep, while the Professor is drawing out the same remarks he has done for the last thirty years. Let him ask any student the reason of this double attendance on the same subject, and he will say at once, that he attends the private teacher for the sake of instruction, but that he must take out the Professor's ticket in order to obtain the degree of M.D. from the University; for the Universities will not receive the tickets of private lecturers as qualifying the candidate to enter on his examination for a degree. There is a vexatious monopoly at present in the Universities; and instead of any remedy for this, the Bills brought into Parliament make it closer. What is the consequence of this monopoly? The Professor knowing that the student must purchase the University tickets, holds very lightly the opposition of a private lecturer. Let both teachers be put on an equality, and the Professor, if not provided with an ample endowment, will bestir himself on behalf of his fees, and the two men will meet on fair terms as far as the student is concerned, and he will get the benefit of their rivalry, both in purse and knowledge. From Professor Robinson it appears that in Germany—

'The Professors are of two kinds, ordinary and extraordinary. They are all appointed alike, but differ in rank. The ordinary Professors, strictly speaking, constitute the Faculty; they are members of the Academic Senate, and thus have a voice in the government of the University; they have a Dean of the Faculty, who is always chosen by and from themselves. The Professors extraordinary are

simply teachers, and have no further duties nor privileges. Besides these there is another class of private instructors, *privatim docentes*, composed of young men who have taken the degree of Doctor of Philosophy (equivalent to our Master of Arts), and have then permission to read lectures and give private instructions in the Universities. The regular salaries of the ordinary Professors vary according to circumstances from 500 to 2000 rix-dollars (75*l.* to 300*l.*), and rarely exceed the latter sum. The Professors extraordinary seldom receive more than 500 rix-dollars; often not more than 100; and the instances are not rare, where a man is at first glad to receive merely the title, without any salary whatever. The private teachers also have no salary. All the Professors and instructors receive fees from the students for their private courses of lectures, which, however, in ordinary cases, do not amount to a considerable sum.

Then observe the advantages of this.

This class of private teachers is the nursery in which all future Professors are trained; where they are seen just budding into life; and where, if they flourish with a vigorous and healthy growth, they are soon transplanted to a maturer soil. If a young man distinguishes himself in his situation, he is very soon promoted to be a Professor extraordinary. The government have here an opportunity of judging of the qualifications of candidates for literary stations, and of selecting and securing the services of the best men, and to a young man of real promise, they are usually not slow in holding out a reward. A young man of talent and promise came to Halle in 1827 as a private instructor in the department of History; in 1828 he was made Professor extraordinary, and in 1829 advanced to the rank of ordinary Professor; and such instances are not uncommon. The extraordinary Professorship again, is regarded as a stepping-stone to the ordinary one. It gives a young man a certain rank and standing in the University; he no longer reads lectures merely on sufferance; he has at least a permanent place; has enjoyed the notice of government; and is sure, if he continues to distinguish himself, of being promoted. In some instances literary men, with the permission of the government, give courses of lectures at the Universities, and receive fees, without being attached to the institution in any other way, as *privatim docentes*. Thus the historian Niebuhr, in his character of member of the Berlin Academy of Sciences, read lectures at Bonn; and at Halle a former Major-General was lecturing on military history and tactics.

And again,—

* From this arrangement of the instructors into different classes, and the practice of admitting young men of the requisite qualifications to teach at pleasure in the Universities, arise two important benefits which are as yet unknown in the institutions of our own country. The first is, that a number of persons are thus always in train, either as private teachers or Professors extraordinary, in the different depart-

ments of literature and science, out of whom the higher Professorships when they become vacant, may be at once supplied. When therefore an ordinary Professor dies, or removes to another sphere, the question is not, as with us, where a successor may be found; but the difficulty lies in selecting the best out of the many candidates, who are already well qualified for the office. In this country we are compelled to choose not the man who is already qualified, but him who, under all the circumstances, will probably be best able to qualify himself for the office after he shall have been appointed.* The consequence is that a man of eminence in some public calling is for that reason often chosen to a Professorship, with the duties of which he is wholly unacquainted. He must therefore spend some years in obtaining himself that knowledge which as a Professor he is required to teach to others. In this respect the evil is entirely remedied in Germany. The other benefit of this arrangement is, that it holds out the strongest incitements to diligence on the part of the instructors. To a young man just entering upon his career, it is obviously important to bring his whole strength to the work, in order to acquire a reputation which may authorize the expectation of promotion. He has the direct motive of profit, and the not much less one of hope, to stimulate his exertions. He knows besides that there are others before him in the race, actuated by the same motives, and also by the fear of being outstripped. The extraordinary Professor stands in a similar predicament; he has the same motives to exertion, the same goal before him; and has, moreover, ardent competitors behind him. The ordinary Professor has indeed reached the summit of his ambition; but he knows that if he relaxes his efforts, the fruits of all his labour will be carried off by others, and he thus lose in a measure his influence and emoluments. This system has now been in long operation; and the general effect of it has been highly beneficial.

In the Italian Universities a similar arrangement existed at the time of their highest reputation. There were always an ordinary and an extraordinary Professor, and frequently not less than three chairs for the same subject; and the rivalry consequently was ceaseless and intense.

By Mr. Bannermay's Bill the number of Professors is limited to sixteen. On consulting the 'Concise Account of the German Universities,' it will be found that in Berlin 'the whole number of instructors is usually more than a hundred,' and in Copenhagen, possessed, by the way, of a Professor of Medicine of the Jewish persuasion, 'there are above forty teachers.' With such a host of opponents no man can sleep at his post.

So utterly destitute are these Bills of any means of producing rivalry amongst the teachers, so completely silent are they in regard to the monopoly enjoyed by Professors, so plausibly are they framed to secure the election of the cleverest candidate,

but so careful and particular are they in regard to endowments, that it is impossible not to suspect that some of the Professorial body, liberal enough in regard to tests and the election of their successors, but sufficiently mindful of their own interests, have, in assisting the honourable Members with their Bills, intentionally avoided any allusion to monopoly, the advantages to the public from the emulation of teachers, and the demand for private lecturers. So manifestly is this the case, that a rivalry which at present exists in Aberdeen, in consequence of two Colleges teaching the same branches, is to be suppressed, and only one College with one set of Professors retained; the last however not omitting to divide among themselves the endowments belonging to the other House.

There is evidently an intention to extend and fence round the present monopoly and usurpation of the Senates. A visible object also is to secure salaries, sufficient and respectable salaries, to the Professors. The framers of these Bills (which may be called Bills for providing large salaries to certain Whig Professors) are inoculated with the common prejudices in regard to a name, and while they leave the *privatim docens* to struggle against the privileges as well as the talents of a Professor, they give to this last at the same time a salary because he is styled a Professor. This is called 'providing for a man suitably to his rank.' One would suppose, that for a teacher, at any rate, it should be 'suitably to his usefulness.' But in this 'order'-loving country, there must be pensioners among teachers as well as in the state. At present, learning is encouraged as of old were certain trades—by bounties, and with the same effect. Men got exclusive privileges, and a sum of money besides for taking them, and the consequence was, that all competition being thus put down, the favoured or protected trade languished; foreigners stepped in with their improvements, and surpassing, as it was easy to do, our manufacturers, supplied the rest of the world; while our monopolists, satisfied with bounties and the sure but small home consumption, would have passed their days in rest and peace, but for the dread of the smuggler, and the watching necessary to keep him out. A man intending his son for a physician or surgeon, sends him to some celebrated school on the continent; but when the youth comes to ask permission to practise, of a certain college or body on whom the government has devolved the duty of ascertaining an individual's fitness to cure or carve his Majesty's subjects, the examination consists, not in asking him what he knows, but where he got it; and when he says, Paris, or Berlin, or Vienna, he is handed out of the door without any further questions being put. This is

protecting and encouraging the home trade; that is, it is putting money into the pockets of these examiners, for they, in addition to the duty imposed on them of ascertaining an individual's professional talents, have of their own accord added that they themselves should be the teachers, and the only teachers. Nothing could be better contrived to keep professional knowledge at the lowest ebb. It is like Government employing one of its own contractors as inspector of his own furnishings.

Much is heard about encouraging literature, and rewarding men of great scientific eminence by placing them in well endowed University chairs. But has this been done? Was Priestley a Professor? Is John Dalton a Professor? Is Turner or Philips a monopoly-gifted Professor? Is Henry a Professor? Look at the great names, past and present, in other sciences, and it is the same. What does science owe to the endowed chairs, compared with the voluntary ones? In fact the richer the endowments are in any University having Professors as patrons, the greater the certainty of the offices being made sinecures. Witness, for instance, rich Göttingen, which is now the only University in Germany independent, it is believed, of Government, and poor Halle; rich King's College and poor Edinburgh. Where there are no endowments, or where they are small in amount, the incomes of the Professors resting principally on fees, they *must* unite in raising the character of the school. Edinburgh is almost solely celebrated for its medical school; and as the majority of the medical Professors have no salaries, they are under the necessity of aiding in the election of such men as will keep up the school. Hence perhaps there has been less of nepotism than in any other of the faculties. Every medical Professor for his own pocket's sake lent his advice to the Council in behalf of some man of eminence. Poverty was the salvation of the University. Let talent get even-handed justice; leave it that which only it desires, a fair field and no favour. Let there be no monopoly. The cry to Government from the Scotch Universities is always, 'Give, Give. Endow chairs. Let us have a salary to a Professor, and we will call him "Regius" or any other name you please.' There has been too much heed given to these demands.

But Government is now acting on a system in regard to the inferior schools, which it is hoped will be carried into the higher; — assisting to build class-rooms, but leaving the teachers to find themselves. The East-India Company told us we never could obtain good and genuine tea without paying their factors, and leaving the Company in exclusive possession of the tea trade. The nation fortunately considered that there would be no harm in

allowing others to enter into fair competition with the Company. So ought it to be with the Universities; there ought to be a free trade in buying and selling knowledge, as in buying and selling Manchester cottons or Birmingham wares. If a man sell sloe-leaves for tea, the law can punish him; and if a man sell blasphemy, or whatever else is against the public weal, the law can reach him; but because it is possible that this free trade may be abused, let us not select half a dozen shops in the Empire, and not only declare that these shall be the only shops where such goods may be bought, but give the sellers a salary for taking their own price for the commodity. It is too absurd to say, that Sir Astley Cooper or Sir Benjamin Brodie is not so fit an instructor in surgery, as some "obscure individual" in the College of St. Andrew's or Old Aberdeen, whose only experience with a knife has been to cut his food or his fingers.

III. *Degrees.* Colleges were endowed for certain purposes in connexion with education; and the right of the State to interfere with them will be denied by many. Be it so. If a man endowed a College for maintaining Catholics, or Protestants, at the University, well and good; let them enjoy it in the exact terms of the pious donor's will. But a University is a national Institution. It was enacted *pro bono publico*. It was a trust committed by the Legislature to certain persons, and the Legislature can at any time resume the trust or alter the conditions on which it was given. Let this plain and simple point be kept in view, and all difficulties with regard to reforming the Universities vanish. Granting that the excrescences in the University are not public property, yet there is no reason why the originally perfect body should continue to be defaced and pained by these funguses. If we are not to be allowed to pare and dress them to our mind, let us at once cut them out. If Heads of Houses are contumacious, if tutors or endowed Masters of Scotch Colleges are troublesome, let the Colleges, the House, and the inmates or dependants, be voted out of the University. This will soon bring the trustees to their senses, and they will be happy to retain their places on any terms. Let it always be recollected that the University is a trust from the State; and that to the University, and not to the College, was given the privilege of granting degrees.

If it be well to legislate for the Universities for the sake of those receiving, or hereafter to receive, instruction at them, the case becomes much more imperative when it is recollected that these institutions have the power of conferring certain privileges on individuals in the State. They must therefore be considered as part of the body politic, and the public are entitled to appear

for their own interests, and to say whether the powers delegated to these corporations and executed by them, are suitable to the present times. The right to alter and amend the Municipal Corporations has been acknowledged, and acted on. The same right exists in regard to the University Corporations; and their powers to make Doctors or Masters of Arts, may be as summarily suspended or altered, as the power of Municipal Corporations to make Burgesses. It would be absurd in London to oppose a Municipal Charter for Manchester or Birmingham; and equally absurd is it in Oxford or Cambridge to oppose the formation of a University in London or any other part of the kingdom.

It has been proposed to appoint a national Board or Commission, for the purpose of examining candidates for literary honours, and conferring degrees; constituting this a University, as it were, for the whole kingdom.

Centralization is often desirable for the sake of cheapness to the nation, and regularity, uniformity, and dispatch in the execution of public business; but in the case of the Universities it is important to keep up their local character, weight, and influence, and to preserve the rivalry and emulation existing among them. The effect of centralization would be to degrade the provincial Universities in the estimation of the public; to destroy the cheapness and facility of obtaining education, afforded to their localities; to bring all, or an immensely great proportion of the students, to the seat of the Central Board or University, and consequently to remove that great inducement to men of literary reputation accepting chairs in the provincial schools,—the hope of bettering their means by the fees of pupils. Such, it is believed, has proved the result of the centralization in Paris of the old Universities of France.

What seems wanting, is not to supersede the existing Universities by a Board or Commission alone empowered to grant degrees, but to add to the number of the national Universities; and it appears peculiarly necessary that the metropolis should immediately be possessed of one. The House of Commons last session addressed the King on the subject of granting a charter to the Gower-street College, or 'London University' as it terms itself; and when Mr. Tooke asked in his place in the House, when this charter was to be forthcoming, the Attorney General stated, that the London University was not to be incorporated as a University, but simply as a College under the name of the 'London University College;' and that there was to be a Metropolitan University for granting degrees to the pupils of all the Colleges. Mr. Tooke declared that the answer was 'very

unsatisfactory.' No doubt it was so to the Professors and Proprietors of the London University; but the answer showed that the Government had caught, in what manner it is little important to know, a right view of the question; and that England was to possess one University independent of all College influence, of all schools, all teachers, and all sectarian creeds, for the purpose of granting degrees to candidates according to the appearance they might make at their examination. It may be the Whigs were driven into this step, to avoid throwing themselves open to the Tories by favouring the Gower-Street College with a job. No matter what the cause may be which has brought the principle to light among them; suffice it that there be no lack in applying it. When the motion for the address was put, Mr. Warburton with his usual perspicacity announced this as the principle which should guide the government, and offered to divide against Mr. Tooke's motion if the Ministerial leader would declare that he would follow it out. Sir Robert Peel saw at once the consequences that would follow this new system, and he would not pledge himself; he saw clearly that it would be the lever to overturn the present system in the old and dark abodes of learning; that it would be a rival which they could not despise, and one in fact which they would shortly be obliged to contend with on its own terms; and that the instant there is a Metropolitan University open to candidates for degrees from all schools, that instant the monopoly of the Professors in the other Universities is at an end.

But while a metropolitan University, on the broad and liberal basis which belonged originally to every such institution, would destroy the monopoly at present so tenaciously retained by Professors, it would not prevent the old schools still conferring degrees in an improper manner. The Legislature, therefore, ought immediately, for the sake of the public on whom a half-educated set of doctors might be let loose, to make it compulsory on all the Universities to adhere to one set of regulations as to granting these honours and privileges. There should be a Minister of Public Instruction to take a general superintendence of these institutions, to be in some measure responsible to the country for their working, and to be the medium of communication on the subject of education, from the general government of the country to the Houses of Parliament.

The principles to which a Minister of Public Instruction would direct Parliament in legislating on the Universities, ought to be,—

1st. Annulling all sectarian tests.

2nd. Appointment of a Local Board of Supervision, independent of the Professors or Teachers.

3rd. Deprivation of the patronage possessed by Collegiate bodies and private individuals of the University Chairs.

4th. A uniform code of law in regard to degrees, and more especially those which confer privileges on the individuals possessing them; binding on all the Universities.

5th. Admission of the pupils of such private lecturers as may conform to the regulations established in the Universities with regard to their courses, and of foreign Universities, to the same privileges as those of the Professors ordinary.

6th. Restoring and keeping distinct the University corporation and its funds, from those of the College; and in subservience to this, the appropriation of all graduation fees and public grants to strictly University purposes.

The Colleges form a different subject altogether, and it would be for the State to say,—

1st. Whether these are to be made suitable to the purposes and wants of the present generation by direct enactment of the Legislature,— or

2nd. Are to be left to adjust themselves, as they soon must and will do.

There are some subordinate points connected with the internal constitution of the Universities as proposed by these Bills, which have not been alluded to.

1st. For instance, there is to be a Senate composed of the Professors. To this there can be no great objection, provided much power is not left to it.

2nd. The Faculties are to be restored; but it is not clearly specified of whom they are to consist. Formerly all teachers, graduates, and students of any one of the four great divisions of education, constituted the faculty; but here it may be suspected there is to be a small snug set of Professors looking sharply out, not for the promotion of the branch of science to which they belong, but their own interests as the privileged teachers in it.

3rd. There is to be a body called the Convocation, to be composed of the Officers of the University and the Professors; and in this Convocation, seats are to be provided for the graduates, who it appears are to be allowed to attend as spectators. If the authors of the Bills had been acquainted with University history, they would have known the old term used in Scotland and on the Continent '*Congregatio Universitatis*;' and they would probably have preferred the old name, to that which

they have taken from a University which is likely to be the last to furnish anything in the way of model to University Reformers. They would have moreover found that the graduates were not mere spectators; but, as in the English Universities, were integral parts of the body. The Congregation was composed of all members of the University, resident and non-resident. With respect to the restoration in full of this privilege of the graduates, something may be said. If the graduates of a Scotch University were all members of the Established Church of Scotland; if they were principally clergymen living in retirement and in a measure out of the world, or landed proprietors whose intellects had been more muddled than improved by their College studies; then would it be easy to consent to see them excluded for ever from University meetings. There is more hope that public opinion will act on some twenty or thirty individuals, than on some hundreds; for where the latter are held together by unison of feelings and sentiments, they can afford to brave public odium and defy common-sense. The heads of houses in Oxford might have received the milk-and-water Declaration of the Duke of Wellington in place of the subscription to the Thirty-nine Articles; but the Convocation never will. In Scotland, however, men of all sects, and from the cheapness of education men of many different classes of society, go through an academic course. It is not necessary for holy orders, that the candidate shall have graduated; and there are perhaps fewer clergymen in proportion, possessed of honours, than of the other professions. The Scotch graduates are a mixed class, a fair specimen of the talent and respectability of the country; and if the privileges of graduates are to be restored to the extent of voting in the Convocation or Congregation, none are so well entitled to them. In this country there are, and always must be, occasions of public questions, where the University must come forward with their sentiments as a body; and it may be put to Messrs. Bannerman and Oswald, whether they would prefer trusting a decision involving the extension of liberal principles, to the Senate, including even Chancellor, Rector, and Assessor, or to a Convocation composed of the graduates along with these.

There is a practice also in the English Universities, and which belonged to the constitution of all the Universities of Europe, those of Scotland amongst the number,—that of admitting graduates of other Universities *ad eundem*, and as the Papal bull always says, *absque ullo examine*. In this there appears to be no harm. Literary men are thus made denizens of the literary world, as was contemplated. It is a mark of respect to other

Universities. It is asking the joint fellowship and association of all those who it may be supposed are able and willing to contribute to the stock of human knowledge. It may give foreign graduates who are resident in the neighbourhood of another University, as much interest in its prosperity as if they themselves had been educated at it. It is a courteous proceeding among scholars and gentlemen; and if the graduates are to be made part of the Convocation, it should be left to this meeting to adopt the offspring of other Universities.

There is another most important subject, viz. the Libraries and Museums. These must no longer be College property. They must be part of the University; and they must not be confined to the Professors and their wives and daughters as heretofore, but be patent to students and even to the public. Many of these already owe their existence and support to public grants, and they must all depend more directly upon such grants by-and-by. The Act of Queen Anne, which imposed so heavy and unjust a tax upon authors, must be repealed; and in lieu of it, a sum of money voted annually to such of the Universities, as will agree to the regulations which the Legislature may consider likely to render the libraries useful and serviceable to literature and the public.

ART. VII.—*The Chronicles of Waltham.* By the Author of "The Subaltern," "The Country Curate," &c.—3 vols. London. 1835.

HERE is one of what the newspaper puff-writers would call 'the most distinguished popular writers of the day,' engaged upon that complicated subject, the social and moral condition of the labouring classes, as it has been affected by the legislation bestowed upon them by their betters.

The Tales themselves, says their author in his advertisement, 'are to be regarded as nothing more than a vehicle by means of which I have judged it expedient to describe, partly, scenes that have to a certain extent passed under my own observation, partly my own opinions with reference to points, on which all men will and do form judgments for themselves.' He adds, 'Whether my philosophy be sound or otherwise, it is not for me to determine.' In the last age, of which part of the *Chronicles of Waltham* treats, the very words philosopher and philosophy were an abomination to all classes in this country, rich and poor, great and godly, alike. But *tempora mutantur*. In the present age, every man, woman, and child, who writes a novel or a note-book, a tale or a tour, spouts what is called philosophy by the yard. The author of the *Chronicles of Waltham* will

probably find multitudes, who see a good many more things in heaven and earth than are dreamt of in his philosophy, and who do *not* see a good many that are.

The *Chronicles of Waltham* then, separated into several divisions or distinct tales, at least as regards names, mainly consist of the histories of the fortunes of two families living at Waltham, a village in East Kent. Both these families belong to the class of farmers or yeomen; and their relation to the class of labourers as employers of labour, or as parish officers, naturally leads to the consideration and discussion of the condition of the poor. The narrative, though in general constructed with little of artist-like skill, displays in many parts considerable knowledge of the human heart, and a proportionate power of delineating the outward signs of its workings. Seldom has any history of human error and human suffering been more touchingly and powerfully told than that of the overseer Amos and his unhappy daughter. At the same time, it must be kept in view, that this is all fictitious and arbitrary. A tale of misery is made out, and then shouldered upon a man, who is represented, although through every species of hostile medium, as having been an enemy to what he conceived the oppressors of the people. It would have been just as easy to have laid it upon a boroughmonger.

The author of the *Chronicles of Waltham* is a Tory and a Churchman, and all his bad characters are most religiously drawn as Radicals and enemies of the clergy. The Radicals have certainly on this head some reason to complain of the author; for, not content with making his ordinary scoundrels and blackguards Radicals, he has added to their number the most supersublimated rascal perhaps ever conceived,—one a thousand times worse than Swift's

‘Footman, traitor, vile seducer,
Perjur’d rebel, brib’d accuser.’

Blackstone, speaking of matrimonial causes as a branch of the ecclesiastical jurisdiction, says, ‘These causes, partly from the nature of the injuries complained of, and partly from the clerical method of treating them, soon became too gross for the modesty of a lay tribunal.’—Comm. B. iii. ch. 7. On the authority of this precedent, it may be said of Cyril Trevenan, that none but a clerical imagination could conceive, and none but a clerical pen embody such a character. The author unquestionably shows a familiar acquaintance with the qualities that make up the character of a successful seducer. Belial, and Lovelace, and Rashleigh Osbaldiston, must give place to

Cyril Trevenean, who is not content unless he ruins father as well as daughter, and destroys life as well as the honest means of living. But whatever share the author's religion and politics may have had in forming the features of certain of his characters, and giving a colouring to his whole picture, it cannot be denied that the picture is upon the whole strongly drawn and vividly coloured. But though some of the strokes undoubtedly belong to the delineation of nature, in others the author outrages nature not a little; led astray, it would seem, by his political and religious bias. Take, for example, the following picture of Mr. Thomas Amos, yeoman and so forth of the parish of Waltham.—

Mr. Thomas Amos, at this time overseer of the poor in Waltham, had inherited, when young, a moiety of the tithes of Appleby; the other moiety being bequeathed to his sister, then a girl, but who had since married the prosecutor in the late actions. For many years, that is to say, throughout the good times of the war, Mr. Amos hired her portion from his sister, and, living in Appleby, collected the whole of the tithes of the parish in kind, and with a rigid hand. Holding the lease moreover on very easy terms, as well with reference to the archbishop as to his relative, he found himself in the enjoyment of a large income, which he spent among cock-fighters, card-players, boxers, and other flash people, with the utmost fairness and liberality. In his personal habits, likewise, he was the very *beau idéal* of a gay, jovial, thriving yeoman of Kent. Nobody throughout the surrounding districts rode such excellent horses, or dressed with greater taste than he; and among the women, he was said to be irresistible; for, in addition to a striking exterior and an athletic form, he could boast of manners which, in his own sphere, were regarded as princely. And his accomplishments were in every respect in agreement with his exterior. Mr. Amos was a dead shot, a fearless hunter, a skilful dancer, an expert pugilist. He was likewise a man of courage as well as of gallantry; indeed, he was known to have fought at least one duel with a subaltern officer in a marching regiment, in vindication of his right to the smiles of a pretty servant girl whom the jealous soldier took it into his head to watch too closely. But the traits of character on which, above all others, Mr. Amos piqued himself, were his unyielding resolution and his bold infidelity. Let him once pledge his word to anything, and there was no degree of trouble or expense that he would not undergo to redeem it. Let him once utter a threat, and no consideration of pity or remorse would hinder him from carrying it into execution. In like manner, his play, whether in the cock-pit, at the billiard-table, or elsewhere, was perfectly fair; and he paid his debts, as well to tradesmen as to sharpers, punctually. With respect again to religion, he held that as light as he held the restraints of moral obligation. Mr. Amos believed nothing, feared nothing, hoped for nothing beyond the present state of existence; and he was a great deal too honest to act the hypocrite. On the contrary, Sunday

was with him the busiest day in the week; and, as if to mark the contempt in which he held the prejudices of others, Sunday was the day on which he made it a rule to go abroad in his shabbiest attire. When I add, that Mr. Amos was from his boyhood a friend of the people, I have said enough to set his general character in its true light.

The arrival of bad times affected no one more distressingly than Mr. Amos. It is true that his leasehold property was still valuable, and that a man of prudent habits might have lived very comfortably upon it; but Mr. Amos's habits had never been prudent. In his vices, on the contrary, he had always been extravagant; for, besides keeping himself constantly within water-mark by the strictness with which he discharged his debts of honour, more than one female had legal claims on him for a pension. When a reverse came, therefore, Mr. Amos had no fund laid up wherewith to meet it; and he was a great deal too high-spirited to sail, as he himself expressed it, under false colours. The consequence was, that after hanging on for a while in the groundless hope that times might mend, this singular man all at once changed his habits of living entirely. He had taken into keeping a woman of low origin, by whom he had a family. He now withdrew from society altogether, and confined himself to her. From the best dressed man in the parish he became the most perfect sloven. His game-cocks were sold, his hunters were disposed of, his groom was dismissed. With his gay companions, among whom it was hinted that the celebrated Thurtell and Hunt had been numbered, he broke off all connexion; and adopting the habits of a boor, he lived entirely in his kitchen. The character of the man, however, continued to be as fully exhibited in every action of his life as it had ever been. He was still a man of his word. In his debasement he was not less ostentatious than he had been in his elevation; and in politics and religion he became more and more liberal every day. One little statement more illustrative of the temper of his mind, and I resume my narrative.

Mr. Amos had continued to hire his sister's portion of their joint property up to the period when difficulties began to arise in settling for their small tithes with the farmers. When this befel, he became all at once tired of the business, and having himself taken a farm in Waltham, expressed great anxiety to remove thither. Accordingly his brother-in-law was persuaded to change positions with him. No sooner was this done, however, than Mr. Amos declared himself, in all companies, an enemy to the tithe system. It was a positive robbery of the occupier; and for his part he would, though depending on it mainly for his own subsistence, lend a willing hand to get rid of it altogether. Of course such language, coming from one who was known to be himself a lessee, but who was not generally known to have sub-let his portion for a term of years, was pronounced liberal in the extreme; and when party spirit began to run high, no man proved more active, or was more looked up to among the Blues, than Mr. Amos.—i. 244.

After this pleasant list of amiable items, the author gives what he means for a finishing stroke. 'When I add,' he says, 'that Mr. Amos was from his boyhood a friend of the people, I have said enough to set his general character in its true light.' The people and their friends are infinitely obliged to the author of the *Chronicles of Waltham*. After giving a portrait of what he evidently intends for a dashing blackguard, a bold-faced ruffian, he says it only wants another touch of his painting-brush to render it complete, and that last stroke is that the man was 'from his boyhood a friend of the people.' There are several qualities in this character of Mr. Amos, that are never, or almost never, found together in the same individual. And the artist is scant instructed in his art, who has yet to learn, that he is to paint from the rule, not from the exception;—from those cases that make the law of nature, not from those that are anomalous, and that make monsters or prodigies.

To all this it should be added that Mr. Amos, though 'a friend of the people,' was no 'friend to the poor.' In the elegant language which his reverend biographer puts into his mouth, he says 'D—n the poor! I hate the aristocracy, I own; but I hate the poor just as much. They are constantly imposing upon us.'—i. 251. Now in all this, the only remarkable defect is, that he ought to have hated the aristocracy for making the poor. The aristocracy said, Let there be poor, and there *were* poor. They did it with this visible intent,—that they might get the work out of the poor for less wages; and they *did* get it. A few they kept, and a few they starved; but the gross average fact, was that the masses worked for them for less.

It might be supposed that the author in his capacity of administrator of poetical justice, would visit such a bitter and bold enemy of the church and aristocracy with no ordinary degree of chastisement. The penman pours upon the devoted head of his godless overseer, all the vials of divine wrath. He appears to have entered thoroughly into the design and spirit of the chants of the inspired King, who murdered the husband that he might make the wife of his bosom one of the slaves of his seraglio.

But the reader will desire to know something of the betrayer,— 'the liar, traitor, vile seducer.' Was he too a friend of the people? Here then he is, as large as life.—

'It was on a beautiful morning towards the end of July, when the corn had attained to its full growth, and the dingy green of the blade was in many places beginning to merge into yellow, that there appeared over the door of a shop in Waltham, which for some time had stood vacant, the following announcement, inscribed in bright

gilt letters :—" London House Establishment—Ready-money prices—Twenty per cent under prime cost. James Marshall, licensed dealer in groceries, from Messrs. Peel and Pepperpod, Great Cumberland-street, Borough." The trap had been arranged and baited for the simple folks of Waltham with consummate skill. For some days previously they were indeed aware that the shop in question had found a tenant; for the carpenter had been employed to put up some shelves; and sundry chests and boxes, addressed to Mr. J. Marshall, had arrived from London by the van, though they were still in the keeping of the landlord of the Lion. But of the kind of business which the new tenant proposed to carry on, no one knew anything; neither was it certain that the packages in question were designed for him. When, therefore, the light of a new day displayed to their admiring gaze a sign so attractive as that of which I have transcribed the legend, the effect produced was in every respect such as Mr. Marshall could have wished. Men proceeding to their labour in the fields stopped and read, and then went back to inform their wives. The wives, so soon as their children were packed off to school, sallied forth to reconnoitre; and though it was yet but the middle of the week, Marshall's shop became, within the space of one day, a perfect thoroughfare. I do not know whether the till received that day any large accession of silver and copper coin; but that Mr. Marshall himself had succeeded in making a very favourable impression on the minds of the ladies, the return of Saturday night made manifest.

'The individual who had thus contrived to establish by a sort of *coup-de-main* the most thriving business in Waltham, was about three-and-thirty years of age, or perhaps a year or two less. His external appearance was very different from that of village traders in general. A complexion differing little in hue from that of an Italian, yet singularly clear and healthy; hair and whiskers black as the raven's wing; an aquiline nose; teeth white and strong; a mouth full of expression, of which it was not always an easy matter to read the meaning;—these, with a figure little if at all surpassing the middle stature, but moulded upon nature's most accurate model, made up altogether such a personage as one does not see every day standing behind a counter either in town or country. Nor was it only in his outward appearance that he differed widely from those of his class in general—his manners were attractive in a remarkable degree.'

'Gentle, obliging, kind, taking no account of personal trouble, and evidently disposed to think well of all with whom he conversed, Mr. Marshall not only won golden opinions from such as frequented his shop, but gradually obtained over them a sort of influence for which they found it difficult to account. The fact however was, that Mr. Marshall possessed not only a more than common stock of knowledge, but far more than a common stock of philanthropy. He was aware of the sort of goods of which poor men's families stood most in need; and though at a clear loss to himself, would often dissuade the wife from laying out her money to a disadvantage. But

this was not all: he was a patient—nay, a sympathising listener to every tale of distress. His own means were not extensive, to be sure; yet he had always a trifling article to bestow on such as needed it. An extra ounce of tea, or the remnant of a cask of butter, was often thrown in where it seemed peculiarly acceptable: and then all his weights and measures were capital. No wonder that Mr. Marshall should have become a mighty favourite with such as loved to hear themselves talk, and whose favourite topic was of course their own sufferings, attributable, not to any negligence or mismanagement at home, but to the barbarity of employers and parish officers.

‘The result of all this was, that long before a sickle had been put into the harvest, Marshall was decidedly at the head of the grocery concern, not only in Waltham, but in the neighbouring parishes. The labouring people universally gave him their custom; and the excellent report which they conveyed to the market-gardeners induced many of them to support him also; for he was an accommodating as well as a liberal trader. In spite of the intimation conveyed by his sign; that he purposed to deal for ready money only, his heart proved a great deal too tender to be guided by motives of prudence alone. First one, and then another needy family, got into his debt. To be sure they belonged, one and all, to a class which could not be expected to keep above the world; they were parties receiving parochial relief, not one of whom could command more than fifteen shillings weekly, while a large majority could not muster thirteen. And then when the single men came to him, stating frankly at the outset that they never earned more than six shillings, how could a man of his temper press for ready money, when the consequence of his doing so would have been, that the poor fellows must go without their beer, and of course be deprived of the instruction which was communicated to them by the readers in the Anchor tap.’

‘Now Mr. Marshall was one of those who held in unmitigated abhorrence the idea of stinting the poor man in his innocent enjoyments. He was, moreover, a decided friend to the diffusion of knowledge; and held it to be a violation of the first law of nature, that by the rich the pleasures of life could be engrossed, while the poor had all the labour. And as to the arguments of such as spoke of the justice and the necessity among all classes of cutting men’s coats according to their cloth, that he regarded as one of the old-fashioned maxims of which time had exposed the sophistry. The pauper might depend for existence itself on the bounty of others, while the landed proprietor owned a large tract of country. Still the pauper had just as good a right to drink his beer and read his newspaper, as the landlord to swill his claret and study geology.’

‘I need not add, that Mr. Marshall’s reasoning was pronounced unanswerable by the frequenters of his shop; and as he followed it up by permitting his customers to contract debts rather than squeeze from them the money which was required at the public-house, he never wanted either listeners at home or trumpeters to sound his praises abroad.’

'Over two grades in the society' of Waltham Mr. Marshall thus established an influence: his efforts to insinuate himself into the good graces of a third were not so immediately successful. By the farmers in general he was regarded with distrust. It is true that his political principles were found upon inquiry to agree pretty nearly with those of what was called the Blue party. He was a strenuous advocate of parliamentary reform; he hated the very name of the pension list, and denounced all taxation as iniquitous and oppressive. The parsons were in his eyes worthy of all possible detestation, and as to the national debt, he contended that there was but one way of dealing with it. What right had our ancestors to contract engagements, and then leave us to settle them? He was friendly to Cobbett's scheme; the sponge—the sponge would put all to rights; and then, in order to prevent the possible accumulations of new embarrassments, a new order of things ought to be instituted. In the first place, those who conducted the affairs of government ought to accept of no pecuniary remuneration: the honour and the patronage were quite sufficient for them. In the next place, persons offering themselves as candidates for seats in parliament ought to be tied down by the most solemn pledges never to vote away public money without the consent of their constituents. Let all this be done, and church property applied to its right uses—the maintenance of the poor, and he would answer for it that the country would thrive.—i. 227.

This liberal gentleman,—this parliamentary reformer, and advocate for the diffusing of knowledge and happiness among the poor,—is of course everything that is bad. The author has already stated of him, that he detested the parsons. After that, there can be no surprise at any bad quality that may be attributed to him. Accordingly he turns out to be a swindler, a smuggler, an incendiary, a seducer of the worst description,—in a word a villain of the very deepest dye. He represents himself as being of a good family in Devonshire; and insinuations of his noble descent, and of his character at Waltham being only an assumed one, are among the arts which he dexterously employs for the ruin of his victim, the eldest daughter of the overseer,—a beautiful girl about sixteen, who had been educated in a French convent, and of course learned little that was good from the '*Papishes*.' He is even made to intimate that he is no other than his Lordship the present Secretary for Foreign Affairs; and the noble lord's name is printed at full length. Perhaps the author will attempt to justify this on the ground that the individual in question is a public character;—and on the same ground justify his calling the combination or company of London thieves the 'university of London' [see vol. iii. p. 266]. They are a most foul-mouthed generation—the existing Tories. It is impossible to receive an insult from them;—except it were their praise. ●

The author understands well how to manage his godless villains. He makes them destroy one another. Mr. Marshall the grocer having ingratiated himself into the acquaintance and confidence of Mr. Amos and his family, avails himself of that opportunity to seduce his daughter, by the old hacknied prescription of a solemn promise of marriage as soon as some obstacles that stood in the way could be overcome. He had first, the better to effect his purpose, contrived to engage Amos to superintend some smuggling adventures which would take him much from home, and so leave the sheep exposed to the attacks of the wolf; having moreover first taken the precaution, that being reduced to poverty he might be more ready to engage in a desperate enterprise, to set fire to his barn and consume nearly all his property. Finding that his villainy must soon be discovered, and fearing the vengeance of the stern, bold yeoman, he conveys some information to the Excise, which produces a skirmish that terminates in the death of Amos. He then decamps from Waltham, leaving his other victim, now an orphan, to destitution and shame.

The 'Chronicler' has undertaken to favour the public with the following character of the English agricultural labourer. But upon what authority does he pronounce as it were *ex cathedra*, the character of the manufacturing operative which follows the other?

'The peculiarity of character which holds the native of England apart from the native of France, or Spain, or Germany, or Russia, is not more broadly marked than the differences in all their habits of acting, speaking, and thinking which distinguish the agricultural from the manufacturing portions in the mass of English society. The agriculturist—I speak, of course, of the day-labourer—can scarcely be called a gregarious animal at all. He inhabits a cottage apart from the cottages of other men; he resides in the bosom of his own family; he goes forth to his toil alone—and alone, or next to alone, pursues it. His education is, for the most part, of a very narrow order. In many instances he cannot read—in many more he reads nothing except the Bible, a book of religious instruction if it be put into his hands, and a newspaper. The latter source of knowledge, indeed, is a luxury of very modern growth with him, his addiction to which has certainly not improved his morals; but which, being very seductive in itself, is rendered more so by being spread out on the table of a pothouse or a beer-shop. For it is in the evening, after his work is done, that the agricultural labourer takes his ease, if he take it at all. To be sure, the best of that class are content with home even at that season; and if there be any inducement to keep them there,—such as a garden to dig, or a little plot of land to cultivate,—they will never think of going further. But unfortunately these inducements are not always at hand, and the

habits of the rural population have suffered grievously from their absence. For the agriculturist is not a sort of animal who makes, or wishes to make, large strides upwards in the scale of humanity. He troubles himself very little with affairs of state; he has no curiosity in the investigation of sciences. In intellect he is often sharp enough; but, for want of material on which to exercise it, he loses in a great measure the command of the faculty.* The agriculturist hates innovation of every sort: leave him to himself, and he will do in all things what his father did before him, jog him on by placing within his reach implements of increased utility and convenience, and it is an even chance whether you gratify or sour him. The agriculturist has his own virtues and his own vices. Among his virtues, considering him as a member of the community, may be classed an instinctive respect for law and station. It takes a positive exertion to make him turbulent but, on the other hand, he is obstinate, and dogged, and coarse, and vindictive; and, in his own family, sometimes harsh, and even cruel. The young agriculturist is, for the most part, half a savage—one whose very movements resemble those of the overgrown beasts whom he drives or leads, but the old agriculturist, if he have escaped the vice of drinking—the besetting sin of Englishmen both in town and country, is not unfrequently well-bred, and is almost always religious and humble-minded. Finally, the agriculturist, though stout of heart, is not remarkable for any chivalrous spirit of daring. From a bout at fisticuffs he will scarce turn away; but a few soldiers, with arms in their hands, will disperse without firing a shot, the most excited rural mob that ever came together.'

'The reverse of this in almost every particular is your operative weaver or artisan. Breathing continually the foetid atmosphere of a workshop, and spending all the hours of his waking existence in society, the operative loses in some sort all consciousness of idiosyncrasy, in the feeling that he is but a portion of a mighty mass. To a frame often feeble, and almost always unhealthy, he adds a mind restless and active, which, like the wheels in his own machinery, is continually driving at some end, and a degree of intelligence far more available than that of which many that move in a more refined circle can boast. Yet the operative would be as much at a loss how to get through the day were he condemned to spend it alone in the open air, as the agriculturist is to understand how it may be possible to endure an imprisonment of twelve hours' continuance in one of the mills at Manchester or Glasgow. The operative is a reflecting animal; show him that change implies improvement, and he will fall in with it cheerfully and at once; because his understanding on points relating to his own business—and it is of that alone I now speak—is almost always excellent. Moreover, the operative is an ambitious animal. His education, whether neglected in early youth or the reverse, is constantly going on.* He is always learning something from those with whom, during the hours both of work and play, he is associated; and in no species of lore is he more carefully

instructed than in that which he is pleased to designate as political economy.'

'The operative is the vainest of living men: he has learned to repeat by rote the adage "knowledge is power," and repeats it till it ceases to convey to his mind any definite idea; unless, indeed, the firm persuasion, that, being already possessed of a certain degree of knowledge, he himself ought to possess a certain degree of power also. As a member of the commonwealth, the operative is always ready to cabal; and his cabals become the more formidable by reason of his habitual subjection to social control. As a man, the operative is vicious, immoral, irreligious, selfish. From the increase of his earnings, be these what they may, his family derives no advantage. He never visits home except to swallow in all possible haste an ill-dressed morsel; and then, flying from the den of wretchedness, to which his wife and children are condemned, he takes shelter in the public house where the club of which he is a member is accustomed to assemble. Of the habits of the operative in his old age it is not easy to speak, for he very seldom attains to old age: but those of youth and manhood are in his case too often such as compel the philanthropist to doubt whether mankind have gained or lost in point of happiness by the improvements of which he hears so much.'—iii. 302.

Upon what authority does the novelist pronounce the sentence, that 'as a man, the operative is vicious, immoral, irreligious, selfish'? This is rhetoric with a vengeance. Even suppose, which is the point to be proved, that the evidence would warrant the use of one or two of these epithets,—what is the difference between vicious and immoral? or between immoral and selfish? Would he mention selfishness at all, if he did not consider it immoral selfishness? And then 'irreligious' is thrown in as a make-weight, partly on the principle of the penny-a-line men, who always prefer long words and phrases to short, as 'latterly' for lately, a large proportion of cases' for several cases,—and partly *euphonia gratia*, on the principle of the fine-writing men who, with Hobbes, consider the first part of rhetoric to be the 'garnishing of speech, whereby the speech itself is beautified and made fine'.

The answer to this is easy. The manufacturing operative has proved himself a less easy dupe than the agriculturist in the hands of the dishonest aristocracy. His circumstances were more favourable for communication and reciprocal instruction; and the mode of operation of the oppression he suffered from, was by one or two steps more plain and palpable. *Hinc illæ iræ*.

It might have been expected that an individual who undertook to write three volumes treating of the condition of the English labouring population as affected by the operation of the Poor-Laws, would have known something of the great principle

of the late Poor-Law Amendment Act. The principle, however, seems to have entirely escaped the attention, or at least the comprehension, of the author, who talks about the scheme of allotting land to labourers, as if he imagined this would remedy the gigantic evils which the interested legislation of the rich has brought upon the poor. The report and evidence of the Poor-Law Commission of Inquiry alone, would have furnished him with ample information on this important subject.

ART. VIII.—1. *Histoire de la Littérature Grecque, par F. Schoel.*—Paris. 1834. . . .

2. *Histoire de la Littérature Romaine, par F. Schoel.*

THE first light that breaks on the history of ancient Greece, discovers a priesthood directing all things temporal and spiritual, and exercising uncontrolled power over even the kings and princes of the times. No military commander thought of extending his conquests, without marking their progress by a series of temples raised to his patron god, and devoting the richest of his spoils to his worship and glory. No statesman dared to propound laws, no states to enact them, without the approbation of heaven and the sanction of oracles; nor could war be proclaimed or peace concluded, without consulting auguries and omens, the exclusive right of interpretation being vested in the ministers of religion. This system of spiritual domination had flowed into Greece from the banks of the Nile, where from the earliest ages a tyrannical hierarchy prevailed. The King of Kings never appears on the monuments of ancient Thebes, without being surrounded with his council of priests, and gods, and sacrifices. When a monarch showed any symptoms of opposition to the divine will, the priesthood signified to him that the gods had decreed his death, and the only privilege granted the royal offender was a choice of the manner. But it was not only over the physical portion of the constitution of the Greek States that the priests extended their authority; the moral energies of the nation were locked up within the walls of the temples, and the jealousy with which their inmates guarded all the avenues of knowledge, and refused admission to such as did not belong to their party, may parallel anything in the history of more recent times. The source of this power may in some measure be traced to good motives. Men eminent for their wisdom, and guided by the light of natural reason, might have perceived the evils of the gross barbarism in which the human beings by whom they were

surrounded were plunged, and urged by principles of humanity might devote themselves to the discovery of a remedy; when none would so naturally suggest itself as the fears of superstition,—an instrument always found ready among the rude and uncivilized, by those who wish to work their benefit or their injury,—in an age when no fears existed so strong as those of invisible powers, which the sword could make no impression upon, nor dark and uneducated minds defend themselves against. Many of those ancient priests, like Orpheus*, may have united in their sacred character the double purpose of being friends of their church and benefactors of the human race, and have invested themselves with a superhuman influence, justified by the morality of their lives and the services which they rendered, and approved by the consent and obedience of the people. But the power of the priests in this manner legitimately founded, soon degenerated into abuse, and the means of perpetuating the darkness which it had originally proposed to itself to dispel. The literature of ancient Greece before the age of Homer, was confined to the precincts of the sanctuary; all the writings which tradition or history have transmitted to us from those ancient times, bear the sacred and exclusive stamp upon them, and contain nothing but the praises of the gods or the apothecosis of their ministers; and the terms poet and prophet were so indissolubly connected at this period, that the sacred character of the bard has never since been questioned. Linus the most ancient of the Grecian poets, was the son of Apollo and one of the Muses, and sang of† the origin of the universe and the omnipotence of God. Pamphus, priest of Athens, did not think it unbecoming his sacred duty to introduce into the service of the gods hymns in honour of Lycomedes, hereditary bishop of Eleusis‡. Melampus, priest of Bacchus, was poet, prophet, and physician, and professed to understand the language of birds and other animals, and to work miracles§. Orpheus sang of initiatory and expiatory rites; Musæus, the son of the Moon||, treated of Ceres, Bacchus, and oracles; all breathe the religious spirit of the age, and the prohibitory system which crushed every effort of the human mind which did not contribute to the praise and glory of the gods or the exaltation of their priests. But there were men in those

* *Sylvestres homines sacæ interpretesq; deorum
Cædibus et victu fœdo deterruit Orpheus,
Dictus ab hoc lenire tigres, rabidosque leones.*

Hor.

† *Stob. Ecl. S. I. c. 4.*

‡ *Pausan. Serin. 109.*

§ *Homer. Schol. Odys. xi. 286.*

Athen. xlii. p. 597.

early times, who did not tamely bow their necks beneath the yoke, but had the boldness to question the justice of this assumption of power, and the authenticity of received doctrines;—who attempted to force the barriers which restrained the diffusion of knowledge, and expose the machinery of the mysteries and the pious frauds of those who worked them.* Thamyris dared to defy the Muses to a contest of skill, and was deprived of his sight for his impiety†. Marsyas contended against Apollo, and was condemned by the Holy Office of those times to be flayed alive‡ (the refinement of the stake and faggots belongs to more enlightened periods). Niobe insulted Latona and ridiculed her worship; the wrath of Apollo was kindled against her, and she perished with her entire offspring by the arrows of the offended God§. Midas, King of Phrygia, decided a question of theology against the ascendancy party of Apollo, and was miraculously visited with a pair of asses ears as a mark of his ignorance and stupidity§. Pentheus refused to acknowledge the divinity of Bacchus, and was miserably torn in pieces by the infuriated Mænades||. The growing spirit of inquiry into the nature of their dogmas and the grounds of their dominion, the priests endeavoured to suppress by this vigorous and cruel persecution; which only stimulated the more the excited attention of mankind, and added numbers to the enemies of the priesthood. All the contrivances which modern ecclesiastical history informs us were applied to support the sinking power of the Church, may be discerned among the monuments which have come down to us concerning the religion of those dark and barbarous ages. The mysteries,—the secrets of which were for a long time confined within the limits of the temple, and in which there were orders possessing according to their rank and fidelity a higher or lower degree of knowledge,—were at length, after the separation of the temporal from the spiritual power, opened, and the advantages of information which they contained, extended to those who deserved well of the establishment, or made themselves formidable to its stability. The Argonauts, the earliest expedition which left the coasts of Greece, encountered a violent storm on their passage to the Euxine. Orpheus¶ thought the opportunity of serving the good cause too favourable to be neglected, and ordered them to pray to the offended Gods, and directing their course to the island of

* Homer. *Iliad*. ii. 594.—v. 599.

† Hygin. *Fab.* 165.

‡ Ovid. *Metamor.*

§ Plut. *de Superst.*

|| Hygin. *Fab.* 184.

¶ The High Priest Orpheus, was the only one of the Argonauts who was initiated. Apoll. *Argon.* 918.

Samothrace, at that period the chief seat of the rites and mysteries of the Greek religion, implore by expiatory rites pardon for their transgressions. They followed his counsel, and the assembled Princes and Chiefs of Greece and the Peloponnesus received from the Hierophant or Pontiff of the island absolution, and were initiated in the mysteries, by which they were purified and rendered heirs of the joys of Elysium*. After these ceremonies they again embarked, and auspicious flames appeared to surround the masts of the ships, which modern sailors call St. Elmo's fire, and the Romans called the epiphany of the sons of Jupiter. The successful issue of their adventures they principally attributed to their reconciliation with the deity; and after their return to their native country, without restoring the temporalities of the sanctuary, they became the friends and supporters of religion, and proclaimed the favour they had received from heaven by the mediation of the priests, who, taking advantage of the superstitious feelings thus revived among the people, and the longing for the comforts of initiation, refused admission to all who did not pay a price proportioned to the circumstances. The plan succeeded, and the riches and power of the priesthood increased for some time; but men at length began to reflect on this scandalous traffic, and the law which sanctioned it was considered sufficient to have called down the anger of heaven upon the republic in which it was tolerated, and to be the cause of its final subversion†. Agamemnon, Ulysses, and other chiefs engaged in the Trojan war, were also received into the bosom of the church, and directed all things by the will of the prophet Chalcas‡.

But there were other objects which the priesthood gained by this admission of laymen and strangers to a participation in the mysteries. Before the process of initiation commenced, the candidate was obliged to purify himself with running water, which was always found in the neighbourhood of the temple, and submit to an examination by the *auditor*§ priest on the nature of his virtues and his crimes, who frequently in this manner became acquainted with important secrets, which of course were employed to the raising of the temple, and the pulling down of opposing governments. All were not so weak as to answer such interrogatories. Lysander, the Spartan hero, refused to answer the question of the auditor, and demanded whether he put them in his own name or as the organ of the deity; the latter answered,

* Diod. L. 4. § 43.

† Agam. L. C.

‡ Schol. Homer. 1. 334.

§ M. Frenet translates the Greek name *auditor* by *auditor*.

‘As the organ of the deity,’—Then, said Lysander, do you retire, and if he interrogates me, I shall answer him the truth*. And Antalcidas, under similar circumstances, contented himself with replying, ‘The gods know all about it†.’ After the preliminary rites had been performed, the Mystic, encircled with a band which protected him against all dangers‡, was initiated in the lesser mysteries, which were instituted to purify Hércules from the blood of the murdered Centaurs§; and some secrets of the science of agriculture and traditional history were disclosed to him||; after submitting to a year’s probation¶, if his faith and attachment were found strong, he was admitted into the greater mysteries, and was instructed in the true nature of the religion, with the symbols and allegories employed to conceal it from the understandings of the profane, and in the science of astronomy. The initiated were bound by the most dreadful oaths not to divulge the knowledge communicated to them to the illiterate vulgar. ‘Odi profanum vulgus et arceo,’ was the language of the Church party in those times, which has descended with little alteration to the present. Orpheus is reputed the author of this oath of allegiance**. After taking which oath, the aspirant pronounced to the administering priest, ‘I have drunken of the mixed drink, and have eaten from the basket; I have fled from vices and have found virtue††.’ ‘This is what I am not at liberty to divulge,’ says Pausanias‡‡, speaking of some things he had learned in the mysteries; and Herodotus says the same of many parts of the information which he received from the Egyptian priests. All that history or tradition has preserved of the literature of those times, proves the parsimony with which the theological possessors of it dealt it out, when necessity compelled them to be communicative, and their interests warned them to provide for approaching dangers; and the bitter wrath with which they visited all who wandered from the fold, or promulgated opinions inimical to their caste. To preserve the rights and privileges of their

* Plut. Apophth. Lac. p. 229.

† Ibid. p. 217.

‡ Schol. Apoll. L. 1. v. 915.

§ Schol. Aristoph. Plut. v. 846.

|| Clem. Alex. Strom. L. 5. p. 663.

¶ *ἐν δευτέρῳ μυσταί, μετ' ἐνμυστῶν δι' ἱερῶν καὶ ἱεροῦ.*

** ‘Cum ignotis hominibus Orpheus sacrorum ceremonias aperiret, nihil aliud ab iis quos initiabat in primo vestibulo, nisi jurisjurandi necessitatem, et cum terribili quadam auctoritate religionis, exegit, ne profanis auribus inventas ac compositas religionis secreta proderentur.’—*Firmic. Astrol. L. 7.*

†† Clem. Alex. p. 18.

‡‡ Messen. C. 1.

order by stronger bonds than the obligation of an oath, the Priests appointed a *Sacred Senate*,—a Holy Office or Court of High Commission, before which it was permitted to any person to accuse those who were guilty of impiety, who had divulged the mysteries of religion*, or had contributed to the enlightenment of the vulgar. The power of the tribunal was great, and was exercised with no less cruelty and oppression than have stained those of the same kind that have followed. Mists so cover the fields of literature before the Homeric age, that nothing but conjecture can guide towards the truth. Prometheus appears to have been one of the first victims to the jealousy of the priests; he was accused of having stolen fire from heaven, and communicated it to man. 'I have formed,' he says, 'the assemblage of letters, and have given stability to memory, the mother of science and the soul of life.' For which benefit to his species, this practical philosopher is represented to have been crucified on the top of frosty Caucasus, as an atonement for his impiety and indiscretion, and an example of the vengeance of the gods to all who beheld the summit of the lofty mountain. And what increases the probability of the conjecture that Prometheus suffered for having communicated the secrets of the mysteries to the profane, is that Æschylus, who puts the above words into his mouth†, was himself tried before the Holy Office, and with the greatest difficulty escaped the penalty of death, which the laws of the heaven-defended legislators had imposed on the violators of them‡.

But the days of hierarchical absolutism were numbered; experience and observation taught the Greeks the knowledge which the priests refused to bestow. The spirit of enterprize kindled among them by their colonies, and the consequent voyages through the Ægean, Propontis, and Euxine; and wars with the states which occupied the eastern coasts of these seas, made them acquainted with the sciences of navigation, geography, commerce, and some of the practical parts of astronomy. A new æra commenced in the history of Greece, and praises of the gods were no longer the only theme of song. Achilles accompanies himself on his lyre, and sings of the glorious deeds of warriors. Auguries began to lose their efficacy; the Trojan hero declares that the only orien he acknowledges, is to be found fighting for his country. Thersites has the boldness publicly to proclaim the misdeeds of kings

* Plut. Alcibi.

† Prometh. v. 45.

‡ Sopat. Divis. Quæst. p. 333.

and governors; but the power of restraining the publication of opinions had begun to pass from the priests to the military chieftains, and Thersites is punished for his indecency and want of respect. The soft climate and free government of Ionia gave birth to Homer; he extended the realms of poetry, and gave heroes a firm inheritance in them; he introduced men to the society of the gods, and gods to the society of men, and gave an impulse to civilisation which carried it through the dark ages and domestic tumults which covered all the land of Greece during the three centuries which followed him. Without discussing the difficulties that surround the question of written language being known in Homer's time, or examining to which side the probabilities most incline, it may be observed that the *muris athenais* of the philologists who support the negative side of the question,—namely that in their correspondence and other transactions where alphabetic language might be most conveniently employed; the military commanders and princes of the people made use of signs (*σηματα*),—is not so impregnable as they believe. It cannot be supposed that, in an age when every species of knowledge was with the greatest care hoarded up by the priests and turned to their own power and profit, and when so few inducements were presented to the chieftains to turn from what they considered their legitimate pursuit and enter upon that which they were taught to believe was encompassed with a thick darkness which nothing but divine light could penetrate, and while literature was in its infancy, the monarchs and leaders of armies should be better educated than those who lived twenty centuries later, and possessed all the experience of past ages and all the benefits of the diffusion of knowledge. How many instances does the history of England furnish of kings plunged in illiterate barbarism, and who on necessary occasions, like the Homeric heroes, made use of signs instead of names; how many clerks unable to read or translate their missals! The middle ages of ancient Greece abound in savage conquerors who, like the Khalif Omar, thought learning a disgrace and books an incumbrance, and all application to them an abuse of time and a perversion of the human intellect. Besides, the Phœnicians, Jews, and Egyptians, who had been engaged in colonial and commercial intercourse with Greece from the earliest times, possessed a written language, and contributed a great portion of their religious rites and opinions to the priesthood of the Greeks, who would not neglect to introduce and preserve in their new acquisition that which constituted an essential part of their clerical qualifications. Like all other useful discoveries and institutions which have descended from

antiquity, the birth of which is concealed in the mist of ages, the origin of written language was ascribed to the gods. The superstitious ignorance of the people, who had neither time nor inclination to examine this account, received it; and from the same source have flowed many other of the absurdities, such as the divine right of kings, the connection between church and state, &c. which the increasing light of modern times is dissipating. This art, which a recent publication* ascribes to divine communication†, was believed by the Egyptians to have been taught on the banks of the Nile, many ages before Moses, by Hermes, who united in his person the double character of deity and king; and was traced by the Indians and other eastern nations to a divine revelation of still more remote antiquity. The improvements made in chemistry, geology, and other sciences, have exposed the secrets and frauds of the philosophers; while many of the mysteries of religion still remain covered with the veil of the temple.

The jargon of the priests concerning cosmogony and theogony, yielded before the brilliant and simple inspirations of Homer's Muse, and the Greeks embraced them with the ardour and enthusiasm of emancipated slaves. Rhapsodists and lyric poets, the bards and minstrels of modern history, thronged the halls of their patron chiefs during the reign of military despotism, and accompanied in the harp, sang of their glorious deeds in battle, and the pride and dignity of their birth. All the poetry of this period breathes of war, and the licentiousness of feudal tyranny. But a period was approaching when Greece should free herself from her chains, and allow a more ample range to the genius and understanding of her sons. The galling heaviness of the military yoke became intolerable to her, the brightness of patriotic freedom long smothered burst forth, and republics began to raise their heads above the din and tumult of contending armies. The majestic

* The Orthography of the Jews, by Dr. Wall.

† The earliest distinct mention of writing in the Mosaic books, states that it was *not* taught to Moses in the mountain, but was previously common among the Hebrews and their handicraftsmen. God is represented as ordering Moses to engrave on certain precious stones and ornaments of gold, the names of the twelve patriarchs, and the words HOLINESS TO THE LORD, 'with the work of an engraver,—the engravings of a signet;' (Exod. xxviii. 9, 10, 11; 21; 36). And *subsequently* to this, God is represented as writing down his own orders upon tables of stone; (Exod. xxxi. 18). Earlier mention of *signets* is found in Genesis xxxviii. 18. Dr. Wall's theory, therefore, goes to maintain, that writing was taught to some of the ancestors of the Jews by divine communication, though nobody has thought it worth while to record the fact.

epics of the regal period, yielded to the lyric poetry inspired by the genius of liberty. The love of country, the rights and duties of citizens, the advantages of union, the injustice of princes, and the pride of aristocratic oppressors, became the theme of their songs, which the bards sang at the head of advancing armies, to inflame their patriotism and military ardour*. Elegy also was the offspring of these troubled times; which treating of the vicissitudes of war, was joyous when celebrating the victories of patriotism, and plaintive when mourning over those who had fallen in its cause. The war songs of Callinus and Tyrtæus proclaim the shame of cowards, and the glory with which those cover themselves, who by the valour of their arms defend their country†.

During these struggles for political freedom, the priests, with the wisdom of serpents, had retired within the inviolable confines of the sanctuary. *Itæc ara tuebitur omnes*, was the shield of their protection. But not satisfied with the security which it afforded, nor waiting until the storms which shook the constitutions of the Greek States had exhausted themselves, they applied all the powers of their minds to the invention of means to preserve the power which they had possessed and abused for so many ages. Miracles and prophecies succeeded the decline of their temporal jurisdiction, and were employed to supply the place of the sword with which Thamyras and those who objected to submit to their authority in the days of their domination were punished. Lycaon the proud and powerful King of Arcadia, had the impiety to question the divinity of Jupiter; 'Mox, ait, experiar, deus hic, discrimine aperto, An sit mortalis,' and was in consequence transformed into a wolf, and fled into the fields among the cattle‡. Ocyroe undertook to predict future events without divine permission, and was changed into a mare for her arrogance. The Minyæides treated the worship of Bacchus with contempt, and were metamorphosed into bats. Atlas king of Mauritania, and Phineus prince of Ethiopia, are visited with similar manifestations of divine vengeance because they insulted the son of Jupiter. This latter deity and Mercury disguised themselves in human shapes, and descended to the Phrygian hills at that time inhabited by a race of unbelievers; the gods, for a long time denied the rites of hospitality, were at length received by Philemon and Baucis, the only inhabitants who were saved when their town was laid

* Schœl. Hist. de la Littérature Grecque, vol. i. p. 189.

† See Brunck's *Analecta*.

‡ Ovid. *Metam.*

under water,—‘haud’ procul hinc stagnum, tellus habitabilis olim,’—for its wickedness. While the stiff-necked and perverse thus became the victims of their obstinacy, the patrons and protectors of the church received the honours of canonization, and were admitted into the councils and palaces of the gods, when as Lucian expresses it, the nectar had failed from the multitude of the drinkers, and the legitimate deities were driven from their places by the spurious. These fictions of the priests had sufficient power with those who had not yet emerged from gross superstition, to fasten the chain of ecclesiastical rule more firmly on them. An invisible and indefinite supernatural influence, supplied the poets of antiquity with the materials of their legends, in the same manner as the extension of the good and evil principles of the eastern religion, filled the romances of those countries with tales of good and evil genii, and the miracles of the middle ages, furnished the early novelists and nurseries with ghosts and hobgoblins.

The Sibylline oracles, a collection of pious frauds by which the priests hoped to invest themselves with prophetic importance, and turn all weighty events which might exceed the limits of human counsel to the interests of the church, owe their birth to the same cause and the same period*. The influence which these obtained over the governments of Greece and Rome, and the manner in which state affairs were directed by them, prove, that the jugglery of *Pastorini et hoc genus omne* was practised with greater success in ancient than in modern times. Whether one party in the state was to be raised and another degraded, a ministry to be deprived of its power, generals to be recalled from the command of their armies, the limits of the empire to be reduced or extended, alliances to be conceded or refused, the Sibylline prophecies prepared the popular mind for the event, and the clamours of opposition which might otherwise have resulted, subsided before the divine decree. The battles of Ægospotamos and Chæronea, so fatal to Athenian power, were found to have been predicted in them, and the causes which led to these catastrophes assigned†. During the civil wars which rent the Roman republic before and after the death of Julius Cæsar, they were frequently employed as an instrument to move the multitude, and incline it to one party or the other, according to the political bias of the interpreters‡. At one period they were condemned to the flames by the Senate as

* Schoel. Hist. de la Lit. Grecq. v. 1. p. 51.

† Pausanias x. 9.—Plutarch, vita Demosth.

‡ Livy xxxviii, 45.

containing matter dangerous to the state; at a subsequent period when the power of the pontiffs was no longer formidable, they were again collected with great care from the temples of Greece, Ionia, and the south of Italy, and restored to the capitol. The tyrants Augustus and Tiberius found their cruelty defended by them, and had them revived and improved; the Emperor Julian consulted them in A. D. 363; and they were finally committed to the flames and destroyed by Stilico the minister of Honorius.

With the republics arose the first dawn of freedom of writing among the Greeks. As the wars subsided and the new constitutions began to settle down into a permanent and well defined form, the reservoirs of every species of literature were opened, and the streams spread themselves over all Greece. Philosophy, legislation, history, astronomy, mathematics, the drama, painting, sculpture, every art and science that adorns or improves life, began to appear, and accompanied the rising free states to maturity. The muses forsook Ionia and took up their abode in the Pierian groves and vallies of Parnassus, when the soil of Greece had been prepared for their reception; and the genius of the colonies sought within her own shores the reward of its labours. This was the age which gave birth to Lysurgus and Solon, to Herodotus and Thucydides, to Pythagoras, Socrates, and Plato, to Pericles and Demosthenes, to the tragedies of Æschylus, Sophocles, and Euripides; and the licentious freedom of Aristophanes's satire, the grandeur of the sculpture of Phidias, and the perfection of the paintings of Zeuxis, Parrhasius, and Apelles, owed their existence to these changes in the governments.

The ecclesiastical party was neglected or forgotten during the violent contests which shook Greece; but after the laws of Solon had curbed the aristocracy of Athens, and the feudal chains had been broken by the other states, religion again began to occupy the minds of men, and the revolutions were not considered perfect as long as the abuses of the priesthood remained. A number of reformers followed in succession, who boldly questioned the authority which the priesthood had assumed, the reality of the gods which they had worshipped, and the propriety of the attributes which were assigned to them. The authenticity of miracles and prophecies, and the fictions of Homer and Hesiod and the poets that preceded them, with regard to divine interference in human affairs, were submitted to unprejudiced scrutiny, and their errors exposed and proclaimed. This invasion of the sacred and inviolable territories of the temple, was met by the church with its accustomed violence and pride; the court of High Commission was

restored, and its sanguinary decrees, supported by the still unenlightened superstition of the people, were issued against all who wished to reduce its power or correct its abuses. Æsop, the moralist who had effected so much for the improvement of mankind by his simple and instructive apologues, was one of the earliest of those times who incurred the displeasure of the high court of theology for his presumption in intermeddling with the business of education; his having been a slave and a foreigner, rendered him more open to their malice; he was calumniously accused of sacrilege by the priests of Delphi, who pronounced sentence of death against him, and he was hurled from a rock*. Anaxagoras of Clazomene was the first who taught philosophy at Athens; he rejected the absurd theories of the creation which existed before his time, and by a sublime effort of the understanding, raised himself to the conception of a Supreme Intelligence or Spirit which had created all things; he maintained that the moon was a body like the earth and shone only by reflected light, and that it was not a burning mass animated by a divine soul; and he was the first that attempted to explain the nature of an aerolithe. Like Galileo and Copernicus he was accused of impiety; the power of Pœtæles, Euripides, and many others of the enlightened men of Athens who were his friends and admirers, saved him from the extreme consequences of the sentence, but he was forced to quit Athens, and died in exile at Lampsacus†. Diagoras of Melos, like Æsop, was originally a slave; the injustice and perversity of men led him to deny the existence of a Providence, to divulge the secrets of the mysteries, and to break the images of the gods; he was proscribed by the Athenian inquisitors and a price set on his head, he fled from Greece and perished by shipwreck; yet this was the man who framed the excellent laws and constitution for the Mantineans, under which they became prosperous and exalted‡. Protagoras of Abdera, was the legislator of the Thurians; having denied in his writings the existence of the gods, his books were burned by decree of the sacred tribunal as damnable and heretical, and it was forbidden that any citizen should possess a copy of them; he himself was condemned to death, and was lost at sea in attempting to fly§. Andocides, distinguished as an orator, and commander of the Athenian fleet in the Peloponnesian war, was summoned

* Herod. ii. 134.

† Schoel. Hist. de la Littér. Grecque, v. ii. p. 293.

‡ Schoel. v. ii. p. 321.

§ Ibid. p. 324.

to appear before the Hierophant or Grand Inquisitor and answer the charges of impiety and sacrilege, for having committed an outrage on the statue of Mercury, and, clothed in sacerdotal vestments, having revealed to the profane the mysteries of religion, and pronounced sacred terms, known only to the initiated, in their presence*. Three hundred Athenians were included in this accusation, and according to the law, should have been all condemned to death and their goods confiscated†. But the nobility of birth and the power of ancient families were as effectual in screening the young and insolent aristocrats Andocides and Alcibiades‡, from the severity which crushed the low-bred and plebeian philosophers Æsop and Diagoras, and from which to them there was no redemption, as in our own times in the instances of the Orange club and Dorchester labourers. The statutes of Draco and Solon had lost their impartiality; in the case of the οἱ πολλοὶ they were rigid and inflexible, things deaf, dumb, and blind; but where the descendants of Cecrops or the sons of the gods were involved, they received the miraculous gift of tongues, ears, and eyes, and endowed with the tender feelings of humanity could make allowance for the intemperance of youth or the imbecility of age, 'Mecæ stultitiam patiuntur opes, noli contendere mecum.' The indulgence extended to Andocides and Alcibiades only prompted them to repeated violations of the law, until they were finally forced to yield to the pressure of popular indignation; and when the power of the priests or the corruption of the court of Areopagus (the Athenian house of peers) could no longer shield them from its effects, both died in exile. The persecution which raged with such fury against the philosophers who sought to discover and communicate truth, introduced a new class of politico-theologians. The sophists, like the scholastic divines of the middle ages, neglecting the pursuit of knowledge, plunged into the discussion of metaphysical absurdities and unintelligible jargon. This bastard philosophy was cherished by the priests, and the art of dialectics invented to light it through its obscurity. The anarchy of civil government had scarcely terminated, when the anarchy of theology commenced its reign, and the states of Greece and her colonies were infested by a race of teachers who taught nothing but dexterity in the management of words, and the art of involving their adversaries in a labyrinth of deceitful reasonings and intricate propositions. This party, supported by

* Lys. contra Andocid. p. 107.

† Andocid. Or. de Myst. p. 7.

‡ Thucyd. L. 8. § 53.

the priesthood, for a time threatened to reduce the awakened intellect of Greece to its former state of indolence; but the very means which the ecclesiastical party had adopted to repress the growth and diffusion of knowledge, were found the most effectual in propagating and extending it. As light is represented to have sprung from chaos, so truth finally evolved itself from the mass of jargon with which it was encumbered, and gradually assumed that definite and palpable form so pleasing and satisfactory to the understanding. Athens at this period gave birth to one of those individuals whom Providence appears at certain periods to send into the world to effect great revolutions. Nature had endowed him with a capacious mind, fitted to comprehend every species of literature, and with a brilliant eloquence formed to adorn and communicate it. He perceived the corruptions which had crept into the schools, and determined to purify them; he destroyed the barriers that had been drawn round the human mind; ethics, law, and religion, received the benefit of his enlightened spirit; education was placed by him on a broad and liberal basis; he gave to philosophy a more practical direction and more noble object, and taught that the duties of life, and the relations between men and men, were a more necessary study than disquisitions about minute objects which were neither pleasing nor useful. But the advantages which Socrates conferred upon his country could not subdue the malice of his enemies. Aristophanes, the poet of the Athenian tory party, turned all the bitterness of his satirical muse against him, and assailed his character as a citizen; the priesthood suborned witnesses to impeach his morality and religion, and though distinguished for every virtue of which humanity is capable, he fell a victim to the ascendancy and union of these two factions. His death contributed still more than his life to the degradation of his enemies, and Plato, Xenophon, and other disciples of his school, boldly preached his doctrine and vindicated his character. The impulse which was given at this period to the freedom of writing and advancement of learning, may be learned from the dialogues of Plato and the subjects discussed in them. The sophists, their religion and politics, became the subjects of his railery; he engages them on the questions of natural rights, the immortality of the soul, the nature of good, the rewards and punishments of a future state, connection between church and state, obligation of oaths, public education and instruction, justice and every species of government, the elements of social order, private and public duties, the nature and suppression of crime, public and private contracts, right of property and prescription, foreign

commerce, military discipline, qualifications of magistrates; in fact, the most important questions which occupy the attention of the statesman or divine, are inquired into and examined with a liberty scarcely shown even in the present time, and Greece was rewarded for her liberality by an imperishable immortality. The great Stagyrte was one of the last of this period who suffered for his religious opinions; the high priest Eurymedon accused him of impiety, and he was banished to Chalcis*; and these divisions and collisions of parties continued in Greece, and prepared it for the yoke of slavery which was imposed on it by Philip of Macedon.

The publication of opinion and the freedom of communicating the products of the understanding, were not less fettered by the political than by the ecclesiastical tyrants of antiquity. The poets who refused to gratify their appetites and passions,—the historian who would not gloss over their crimes and give them credit for virtues on which they trampled,—who would not transmit them to posterity as good kings and valiant warriors, and represent their court as the focus of light and grace,—and the artists who would not degrade their profession by administering to their caprice or vanity,—all felt the weight of the despot's anger or the fatal consequences of his fears, and suffered punishments not less severe than those inflicted on heretics in religion. The ecclesiastical establishments of the Pagans were subverted by the means taken to support them; and tyrants not unfrequently became the victims of the ignorance and brutality which they encouraged. While the genius of Greece was fostered by the spirit of liberty, while eloquence was improved by the public discussions in which any member of the free states was allowed to take a part, while honours and rewards were conferred at the public festivals on all who contributed or added to the advancement of their country in civilization and knowledge, the States of Asia and many of the colonies which had fallen under the dominion of tyrants, viewed this increasing light with apprehension, and fortified themselves against its approach by sanguinary decrees and penal statutes, endeavouring to preserve the darkness which protected them. Pythagoras left his native country, and having spent twenty-two years in travelling through Egypt and the countries of Upper Asia, returned supplied with all the knowledge which his capacious mind and indomitable industry could acquire. The tyrant Polycrates at that period ruled over Samos, and not deeming it consistent with the stability of his

* Diog. Laert. L. 5. c. 1. § 7.

government to receive the philosopher into his territories, he was banished as a pestiferous innovator, and an enemy to ancient usages and the established order of things; he retired to Crotona in the south of Italy, and established his school there. A general improvement in the manners of the inhabitants of this state was the result of his labours; its opulence was no longer made the instrument of sensual indulgence, nor its power, of oppression; it assumed the form of a well-trained and moral republic for a time, but the oligarchy again obtained the ascendancy, the schools were suppressed, and the Pythagoreans banished from its dominions. Polycrates was afterwards impaled; and the dissolute and unreformed habits of the Crotonians rendered them an easy prey to the arms of Rome*. Solon visited the Court of Croesus; the liberality of the Athenian's opinions was not pleasing to the king of Lydia, and he was banished from his kingdom. Philoxenus a poet of Cythera went to reside at Syracuse; he had the boldness to satirize some of the acts of the tyrant Dionysius, and was in consequence condemned to work in the mines, where the Syracusans confined malefactorst. Dionysius, the son of the tyrant, succeeded to the throne, as the reward of the revolution which had been effected in the government of Syracuse. At first he professed himself the advocate of popular laws and the patron of learned men, and gave promise of correcting the abuses which his father's profligacy had brought upon the state, but these hopes were soon blasted, and it was discovered that he inherited all the vices and cruelty of his race. He admitted Dion the friend of the people to his council, and directed all the affairs of the kingdom by his administration, he invited the philosopher Plato to his court, to assist him in improving the Syracusan constitution, but the independent spirit of the citizen of the Athenian republic followed Plato into the palace of the tyrant, he enlarged on the virtues of justice and moderation, and advised him to lay aside the supreme power and pursue the conduct of a citizen-king; the mutability of the despot was kindled, he ordered the philosopher to be seized, and publicly sold as a slave; this degradation was avoided, but Dionysius did not escape the consequences of his cruelty and hostility to the freedom of opinion. His popular minister Dion fell under his suspicion, and was dishonourably banished from Sicily, his family insulted, and his wife given in marriage to another. Dion collected forces

* Iamblichus Vit. Pythag.

† Schol. Aristoph. *Phut.* v. 290.

among the free States of Greece, and returning to Syracuse overturned the government, restored the freedom of the people, and expelled the tyrant. Speusippus and the youth of the Academy at Athens, were chiefly instrumental in effecting this revolution; they stimulated the exertions of Dion, fanned the flame of discontent among the Sicilians, swelled the ranks of the patriots, and revenged the insults offered to their master and to humanity*. After many vicissitudes of fortune, Dionysius at length settled in Corinth, and to support himself was obliged to keep a school, as Cicero observes, that he might still exercise absolute authority, and tyrannize over boys, after he had lost the power of tyrannizing over men. The philosopher Zeno, the author of the art of dialectics, after many years of travel and study, returned to his native country of Elea; he found it oppressed by the power of the tyrant Nearchus, and entered into a conspiracy against him; his project was discovered, and refusing to declare the names of his accomplices, his tongue was first cut out, and he was afterwards pounded alive in a mortar. Nearchus did not long survive this act of cruelty; his subjects rose against him, and the murderer of the philosopher was stoned to death†. When the liberty of Athens was destroyed, and the government of the thirty tyrants imposed on it by Lysander, the freedom of writing was restrained, and the abode of the Muses defiled by the illiterate aristocracy of Sparta; and those very authors who had been employed to applaud and support the Lacedemonian party during the Peloponnesian war, first felt the rigours of restraint from the power which they had contributed to raise. Lamachus one of the Oligarchs, forbade the comic poets to represent on the stage the events of the times, or to name in their pieces living characters; and Aristophanes and the other writers of ancient comedy fell into decay under the ministry of their friends.

But Athens and the other free states of Greece, compensated nobly for the restraints which the priesthood and tyrants occasionally imposed on the propagation of knowledge and the freedom of opinion; and the exuberant licentiousness into which the comic writers were allowed to run, was most beneficial to the cause of literature and to the integrity of politicians. It was from these that the theatre derived most of its improvements, and history much of its valuable information with respect to the nature and intrigues of the factions which at that time

* Corn. Nep. in Dion.—Justin. 21. c. 1. 2.

† Sixième Dissert. de Hardouin sur l'origine et les progrès de la Rhétorique en Grèce. V. xiii. p. 159. Mémoires de l'Acad. &c.

divided the Greek republics, and prepared them for even a more heavy despotism than that of the Great King. The poems of Homer, as containing too many praises of a military despotism, were neglected by the Greeks during their struggles to emancipate themselves from that form of government; but after their fears of domestic oppression had yielded to those of foreign invasion, and the power of Persia threatened the infancy of the newly formed republics, the political importance of those poems was perceived, and they were carefully collected and introduced at Sparta by Lycurgus; and at Athens by Pisistratus, for the purpose of exciting the national valour of the Greeks, and inflaming their zeal against their Asiatic enemies. The honours which began at this time to be conferred on the productions of the mind, animated and strengthened the genius of Greece; and many poets, like Timocreon of Rhodes*, gave free reins to the censures of their muse, and attacked with impunity the vices of public and private characters. Alcæus of Mitylene aided Pittacus in expelling the tyrants who oppressed his country, and afterwards assailed Pittacus himself in his bitter verses; but this wise legislator remembered the services he had rendered, rather than the calumnies he had uttered, and proffered him a pardon and renewal of their former friendship†. This period also gave birth to the satirists Archilochus, Herodes, Hipponax, and Stersichorus; to Sîndar, the poet laureate of his time, who sang the praises of the great and the dignity of birth, the parasite of Hiero, whose favour he shared with the amorous poets Anacreon and Bacchylides. But in no portion of the diversified literature which rose with the free states, is the liberty of writing so fully shown, as in the indulgence extended by the republic of Athens to the satirical drama; in which her most approved statesmen were slandered, her most popular orators ridiculed, and her wisest philosophers represented as knaves or fools‡. Neither Pericles in the plenitude of his power thought it prudent to repress it; nor did Cleon venture to direct any portion of his popularity, against the toy writers who calumniated him. The events which were passing before the eyes of the poet, the public affairs and politics of his country, the leaders of the parties which divided the republic, the generals charged with the command of

* Πολλὰ πίων, καὶ πολλὰ φαγών, καὶ πολλὰ κακὰ εἰπών
 ἄνθρωπος, κείμαι Τιμοκρέων Ροδῖος.

† Schoel. Hist. de la Lit. Grecque. l. 201.

‡ Si quis erat dignus describi, quod malus, aut fur,
 Quod inarchus foret, aut sicarius, aut alioqui
 Famosus, multa cum libertate notabant.—Hor. Sat.

her armies, the ministers who directed her finance, the writers who distinguished themselves by their ambition, their venality, or their unfitness for the offices they held,—these were the subjects which furnished the materials of ridicule and humour. ‘These poets,’ says Anacharsis, ‘exposed the most distinguished individuals to the malignity of the multitude, and their fortunes, whether honestly or criminally acquired, to its jealousy.’ There was no citizen, however contemptible his condition or exalted his rank, who was secure against their attacks; they were sometimes exhibited by allusions, but most frequently by name, and the traits of their countenance painted on the mask of the actor. Socrates is held up to public ridicule in the ‘Clouds’ of Aristophanes, and Plato’s politics stigmatized in his ‘Female Club;’ Euripides, in his comedy of the Acharnians, Cleon, and even the Athenian people itself, become the subjects of his unmitigated mirth. The Sicilian expedition, the siege of Sphæteria, the fortification of Decelea, political subjects of the greatest weight, are treated with the greatest freedom and commented on in the bitterest spirit of political bias, without any fear of penal consequences. Pericles did not think of placing any restraints on these writers when they attacked him*; he was a lover of literature and the arts, and considered a liberal government the soil best fitted to nourish and bring them to maturity; and his character is fully vindicated from the calumnies of the Eupatridæ by the testimony of the historian of his age. ‘So long as he presided over the state in peace,’ says Thucydides†, ‘he did it with moderation; the state was preserved by him in its integrity, and was even advanced under him to the highest degree of greatness. The first in dignity and prudence, he was superior to all suspicion of corruption; he therefore swayed the people almost at his will; he guided them and was not guided by them, for he did not speak according to their humour, but often opposed them with dignity, and even with vehemence. If they were inclined to do any thing unreasonable, he knew how to restrain them; if they suffered their courage to sink without reason, he could restore their confidence. His administration was therefore, nominally the government of the people, but in reality the government of the best man.’ This was the golden age of Athenian greatness; it terminated with the ascendancy of tory Sparta, and one of the first laws imposed on her fallen rival, was that which annihilated the freedom of writing. Every kind

* Plutarch, ii. 592.

† ii. 65.

of literature and art now sank into a decline. Demosthenes and a few of the orators of his time, attempted to recall the departed spirit; but the heavy hand of despotism had crushed its energies, and the Macedonian conqueror and his generals extinguished the last ray of light which illuminated the land of Hellas. The torture and death of Calisthenes, prove the weakness of philosophy when opposed to the caprice of a tyrant; and the persecutions of Demosthenes show what a feeble protection the most exalted virtues afford to their possessor, when they become obnoxious to a military governor.

The Muses forsook the land of Greece at the same time with her liberty, and sought an asylum under the protection of the Ptolemies; but all the productions of the Alexandrian school bear the pale and sickly hue of an imperial residence, and display none of the ample proportions and muscular strength of the effusions of the Greek republics.

The literature of Rome passed through vicissitudes similar to that of Greece; any kind of knowledge was confined by a jealous priesthood to the possession of their own order, and any attempt to extend it punished with peculiar cruelty. The decemvir Attilius was appointed to the care of the Sibylline books, and was thrown into the sea for having permitted Petronius Sabinus to take a copy. When the books of Numa were found in his tomb, they were burned by order of the Senate, because they contained matter which did not harmonize with the religion of the State. Carneades and the Greek philosophers who accompanied him in his embassy, were banished from Rome by the Tory party, who considered that the taste for study which their refinements were calculated to inspire, was dangerous to the power of the aristocracy, and to the union between the Church and State parties, who at that period held Rome in a state of absolute slavery. When an oligarchy succeeded to the power of the ministers of religion, they were not more tolerant of the liberty of writing. Nævius, the oldest of the Roman dramatists, attempted the freedom of Aristophanes in his comedies; the Roman pride kindled at his presumption, his writings were proscribed, and he was driven into exile. The civil wars which succeeded this period, called forth and raised to eminence many individuals who but for them might have continued in obscurity. Roman liberty grew up and was maintained, between these two parties equally formidable to each other; and the lights of the

* Schoel. Hist. de la Lit. Grecque, l. p. 853.

Augustan age, though somewhat obscured by flattery of the tyrant, were the offspring of that short period of Roman freedom. The Empire was not fitted to preserve and add to their lustre. Ovid was banished to the Roman Siberia, for the freedom of his verses; and an *ordonnance* of Augustus two years before his death, declares the authors of libels and satirical writings to be guilty of high treason and punishable with death. Timagenes the historian of Alexandria was engaged by Augustus to write his history; his integrity displeased the emperor, and he was banished from Rome, and his works burned. Cassius Severus, a satirical writer, was also banished by him, and his writings committed to the flames. Titus Labienus the orator and historian, killed himself for grief, because his works were publicly burned in the forum. Crematius Cordus the historian praised the merits of the patriot Brutus, and was obliged to commit suicide to escape the vengeance of the monster Tiberius. The prætor Antistius, a writer of satires, was banished by Nero and his goods confiscated. Fabricius of Veii was also banished by Nero, and his books burned; and Seneca swells the list of the persecuted at this time. Every effort of the human mind was checked, until the reign of the Antonines. These good and wise monarchs removed the impediments which the despotism of preceding reigns had placed in the way of literature; their palaces were crowded with the learned men of the empire, and their councils and government derived no less benefit and lustre from the poets and historians of their time, than did the extension of the Empire from their military prudence and valour. This was the age which produced Plutarch, Appian, Dion Cassius, Dion Chrysostom, Antonius Polemon, Herodes Atticus, and Lucian of Samosata. These were promoted to the highest dignities under the enlightened monarchs who at that period directed the affairs of the Roman Empire; but tyranny again succeeded, and literature fell into decline.

In all this, it is interesting to remark, how the thing that is, is the thing that has been; and how the union of Church and State policy which may be described under the name of Tory, has in all ages been directed to the conservation of public evils, by suppressing the light which might have enabled individuals to limit their extent.

ART. IX.—1. *General Report of the Commissioners appointed to inquire into the state of the Municipal Corporations in Scotland. 1835.*

2. *Local Reports of the Commissioners appointed to inquire into the state of the Municipal Corporations in Scotland. 1835.*

IN legislating for the British Isles, it is a general leading principle, that the laws of all portions of the Empire shall be made as nearly alike, as they can be without incurring sacrifices which might overbalance the advantage. An admirable example has lately been given of the amount to which the practice of such a system must necessarily depend on the relative power of opposing parties, and of how completely the system of uniformity may be shaken if the higher branch of the Legislature happens for a short time to have got loose from the charge of the lower, and feels itself powerful enough to put its natural keeper at defiance. In August 1833, an Act was passed to reform the Municipal Corporations of Scotland; for a similar one England had to wait two years longer, and the events of the intervening period were stamped on the measure doled out to her. No great strides had been made in legislative science; no philosopher had convinced the nation, that while on the one hand the franchise was better lodged with the rate-payers than with the ten-pound householders, on the other it was more suitable that magistrates should be elected for six years than for three;—and the distinctions made, find their best sanction in what Wordsworth calls ‘the good old rule,’

‘That they should take who have the power,
And they should keep who can.’

Again, his Majesty’s Ministers have learned within these two past years, that the support of the people is a better foundation for their power than the support of the Tories, and therefore, as part of a system pursued for the recovery of the confidence they had lost, they proposed a more liberal measure for England in 1835, than they had given to Scotland in 1833. On the other hand, the innocent Peers, whom the Edinburgh Review considers as not morally responsible for anything they may do, if the eyes of their sober guardians the people are withdrawn from them for a moment, really were kept in better restraint in 1833, and so finding there was to be no sport allowed them, did not attend the several readings of the Scotch Municipal Reform Bill, to above the number of sixteen or eighteen, who allowed it to pass in profound quietness. In 1835 they had broken loose, and so rich a field as the English Corporation Reform Bill afforded, could not escape the substan-

tial marks of their destructive propensities. From such a conflicting state of matters has arisen the motley code which regulates the Municipal Corporations of Britain. In England, the franchise is in the hands of all who are rated for three years to the poor;—in Scotland it is reserved for the ten-pound householders. In England, the exclusive privileges of trade, &c., are abolished;—in Scotland they still remain. In England, where the Borough is divided into four Wards, a person qualified to be chosen an Alderman or Town Councillor must enjoy property of the value of 1,000*l.*, or be rated to the relief of the poor in the sum of 30*l.*, and a proportional qualification is requisite in smaller towns. In Scotland no qualification is requisite but that of being a Burgess, which the person elected is entitled to *pro forma*. In England one-half of the Magistrates retire from office at the end of every three years, each being six years in office. In Scotland, one third of the number of Councillors retire annually, whether they are magistrates or not. In England, the Mayor is elected annually. In Scotland, the Provost whose dignity and office are of a similar nature, remains in office for three years. In England, the administration of the police within their respective districts is committed to the Magistrates; while the Scotch Burghs are still left to the obscure privacy of their various local police Acts ‘declared to be public,’ unless where they chose voluntarily to adopt a general Police Act provided for the benefit of all small towns anxious to tax themselves.

It is pretty clear, that each of these systems is not the very best which can be devised for the internal regulation of cities; and a person viewing them dispassionately and apart from late political transactions, would naturally ask why the same men have made laws so very different for accomplishing similar ends, and gratuitously created one of those arbitrary distinctions between the Municipal regulations of the two portions of the island, which they profess to be busily abolishing. The system of amending laws to that extent only which will preserve them as nearly in their old shape as the pretence of improvement will permit, has been so much approved in high places, that whenever an enactment is palpably erroneous, the observer feels a satisfactory conviction that he will surely though slowly discover the cause by a search through the damp vaults and mouldy recesses of the Statute Book. Such a source of information would, however, fail in the present instance. It would be very difficult to discover in the state of the Corporations of the two countries previous to their improvement, *anything* to support a material generic distinction at the present day; both having been marvellously similar in the chief characteristics for which they were

of late years distinguished,—misgovernment and corruption; and being very much alike in their early independence. If there was any considerable difference, it existed in the greater facility with which the members of the Scotch Corporations in general could keep themselves long in office; and it is certainly unconstitutional and contrary to the doctrine of precedent to make them in this respect inferior to their brethren in England. The arguments from precedent are of far more use to the advocates of despotism and monopoly, than to the friends of free principles; and those who insist that what people have managed to do hitherto, they should be allowed to continue doing, have a plentiful supply of analogies for bad legislation. But if this system is unsound in the abstract and productive of abuse, it is sometimes of negative advantage to the party which does not build upon it. When it is maintained on historical grounds that the rights of any portion of the people were limited, and ought therefore to continue to be so, and when some simple people believe in the validity of the deduction; it may be of use to show that the facts are erroneously stated to serve a purpose, and that all the consequences founded on them must therefore fall. A view of the former state of Municipal Corporations in Scotland, shows that the government, and interested individuals, had managed to create one of the most perfect systems of corruption which ever came from the workshop of human genius; while it appears that the influence which accomplished this state of matters, was acquired by gradual and stealthy illegal encroachments on old privileges so extensive, as not only to justify the late Reform, but to sanction an extension of its popular principles on the ground of precedent. An account has already been given of the ancient state of English Boroughs, with the view of setting aside the assistance which such writers as Brady and Merewether have attempted to procure for their favourite principles of government, from the ancient state of Municipal Corporations in England*. It is here proposed, in noting the present state of the Burgh Government of Scotland as reformed in 1833, and suggesting such improvements as are still necessary, to give a preparatory sketch of the rise and history of the Municipal Corporations of that part of Britain, and to show the curious system of wholesale and retail fraud, by which they were made conducive to party purposes and private speculation. The subject may perhaps have an interest in itself, besides that derived from its effect on the supporters of precedent; and its discussion may be useful

* West. Rev. xxii. 408.

as showing within a limited sphere, how rogues may be made of people naturally honest, when they are placed in situations that give to the portion of dishonesty which may lurk in their disposition ample and uninterrupted room for exercise.

The existence of privileged Corporations, cannot in Scotland (as in England) be traced back to the rights of a free people, exercising them before the introduction of the feudal law; and in the earliest notices extant, the privileges of towns are involved with the principles of that system. The early laws of Scotland were, however, more deeply impregnated with the Saxon system than is generally believed. The Cartularies and old law-books are full of such terms used by the earlier writers on English law, as are directly of Saxon origin; and indeed there is every reason to believe, that the inroads of Saxons previous to and after the Conquest, gave the first pervading tone to the Scotch Constitution, which afterwards made numerous acquisitions from the feudal and civil laws. The early Kings of Scotland, like all chiefs of a mixed and barbarous people, exercised just as much arbitrary authority over their subjects, as the power of their armies, or the thinly peopled state of the country would permit; and accordingly in granting or confirming privileges to towns, they would by no means imitate the practice of their neighbouring country on principle, but wait till clusters of persons in particular situations had made themselves of so much aggregate importance, that it would be advantageous to grant them certain privileges. It is probable that the Saxons, bringing with them the habits they had contracted in their own country, formed themselves, before being regularly incorporated, into little communities which were tacitly permitted to enjoy some of the privileges they were accustomed to in England. The view taken by the accurate antiquary who has framed the introduction to the Report, coupled with the purely Saxon qualities to be afterwards noticed as connected with these communities, favours such a supposition.

Instances, taken at random from a single chartulary, may be sufficient to show, that in the reign of David I. many towns or villages were denominated burghs, to which the name of burghs royal might, in one sense, be given, inasmuch as they appear, from their designation, to have belonged in property to the Crown; but that any of these, even the most considerable, had then attained the rank and condition of a royal burgh, in the legal sense of the name, seems at least extremely doubtful. Perhaps from a still earlier period their inhabitants, at least certain classes of them, had been in the enjoyment of certain privileges and immunities, and of an exemption from those oppressive restrictions and burdens on the transfer and sale of commo-

dities under which the country at large must have suffered so severely ; but there were probably still wanting the most essential *criteria* of proper burghs royal—the erection of the burgesses into communities, or municipal corporations, and the grant of property to the individuals and the community, under a permanent feudal tenure, in return to the Crown for certain fixed rents or *maills*, and the performance of certain personal services for the security of the public peace.’

‘ In this more matured and artificial form, however, a considerable number of the present burghs royal of Scotland appear to have existed in the reigns of Malcolm IV, William the Lion, and their successors Alexander II. and Alexander III ; and various original muniments have been preserved which seem to leave no doubt of the fact. Yet among these, although to some of them has been usually given the title of charters of erection, there is scarcely one which seems, in strict propriety, to warrant that denomination. In all of them are to be found grants, or recognitions, by the Crown, of valuable rights and privileges to be enjoyed by the burgesses, within certain parts of the adjoining country, of which the boundaries are frequently defined ; and in most of them are contained grants of land to be holden and enjoyed in common, or for the benefit of the whole. But, in all such grants, the previous existence of a community, or social body, would seem to be implied ; at least, in none of them does there appear any direct exercise of the royal prerogative in the creation of a body corporate ; and the inference seems almost irresistible, that what otherwise might have been regarded as the most difficult, certainly the most artificial, step in their progress, may in reality have been the spontaneous and silent result of circumstances and situation, connecting together a number of individuals by the powerful affinities of mutual support and common interest. In this view, the received hypothesis, that what are now called corporations by prescription must be presumed to have royal charters, now lost or destroyed, may be regarded not so much as an historical truth as a legal fiction, resorted to for the solution of a difficulty arising from the rules and practice of a later period.’ — *General Report* 10.

The instances adduced serve to show, that so early as the reign of David I. (about the middle of the twelfth century), a period considerably anterior to the date of any extant charter of erection, there were gifts, chiefly to monastic institutions, of portions of land in certain burghs. There appear indeed to have been at that early period a few brief laws for regulating the privileges of burghs. A very old code of laws called ‘ *Leges et consuetudines Quatuor Burgorum*, ’ has been referred to the age of David I. This high antiquity has however been justly doubted, and the collection has been with more probability referred to the age of David II. fully two centuries later. The enactments however are evidently of different periods, and one of them at least is traced to the time of David I. from this

circumstance.—In a charter of William the Lion, there are certain regulations, the infringement of which is said to be ‘*Contra assisam regis Davidis avi mei, et meam;*’ and these regulations have been pretty nearly identified with a portion of the *Leges Burgorum**. It appears indeed, that at this early period the communities scattered over extensive districts were united together by a bond of common privileges.

‘A further corroboration of the same view may be derived from those early grants of mercantile privileges, which embrace, not the inhabitant burgesses of any particular town, but the burgesses of a large district of country. In the charter of William the Lion, recited and confirmed in the charter by King James III. to the burgh of Inverness, there is a grant, “*burgensibus meis de Moravia, ut nullus scilicet in terra mea, eorum nummum capiat pro alienius debito, nisi pro eorum debito proprio:*” a description of privileged persons which seems to exclude the supposition of their being connected in one general corporation; and leads to the conclusion that their claims of privilege depended on the possession of property situated in burghs belonging to the Crown. An analogous instance occurs in a very remarkable grant by William the Lion, preserved in the archives of Aberdeen, which gives “*omnibus burgensibus meis de Aberdoen, et omnibus burgensibus de Moravia, et omnibus burgensibus ex aquilonali parte de Munth manentibus, liberum Ansum suum, tenendum ubi voluerint et quando voluerint, ita libere et quiete plenarie et honorifice sicut antecessores eorum tempore Regis David avi mei Ansum suum liberius et honorificentius habuerunt.*”

‘This document, while it serves to indicate that the individuals in whose favour it was conceived, could not have been united into a single burghal community in the present meaning of the term, may be regarded as proving that, among the traders of the country, there had been formed a sort of federal connexion, and that to the north of the Grampian mountains, there existed a set of hanse towns, whose alliance, and whose common privileges and immunities, had been recognised and protected at least as early as the reign of King David I.’—*General Report* 11.

It was the practice in Scotland (as in England for a short period after the Conquest), for the monarch to bestow burghs on powerful barons or ecclesiastical establishments. This probably did not alter the state of the burghs in earlier periods, the privileges being confirmed by the act of alienation, and the persons to whom they were transferred merely collecting those tolls and feu duties as mesne superiors to which the monarch in return for his privileges was entitled ‘in capite.’ At a later

* Connell on the Election Laws of Scotland, 452.

† Vide the charter to Thomas Randolph, of the Earldom of Moray, bestowing on him the burghs of Elgin, Forres and Invercure.—*Local Reports* 425.

period however, burghs holding of subject superiors became distinct from those holding of the Crown. The latter were royal burghs, the former either burghs of regality or burghs of barony. The right of regality came in more civilized times to be a power which interfered with the course of justice and the royal prerogative. It resembled a Palatinate, the Lord of Regality being entitled to try his subjects for every crime except treason and witchcraft, and to repledge them from the royal Courts.

The privileges granted by the older charters are imperfect and irregular, showing that the borough system was not incorporated in whole from other countries, but gradually introduced as local expediency suggested. One of the chief privileges was, that the goods of the burgesses should not be distrained except for their own debts;—a privilege which must have been especially valuable in those burghs which had been granted to mesne superiors; and in a country where sub-infeudation continued to be practised, it placed the burgess for some centuries in a very different situation from that of the pure feudal tenant. Another privilege was, exemption from tolls, pontages, and other exactions, through the whole kingdom, generally given in much the same terms as are to be found in the early English charters, although there are perhaps some expressions which might be searched for among these in vain *. The privilege of forming exclusive corporations for commercial purposes, was granted in the right to establish merchant Gylds, a term of Saxon origin, used in England to denote a similar privilege which probably had its origin before the Conquest. The right of becoming members of a Gyld does not appear to have extended to all the burgesses, but merely to those engaged in commerce, and the mechanics seem to have formed themselves into minor societies, of crafts or mysteries. The privileges are sometimes conferred on the burgh, sometimes on the burgesses. The boundary to which their operation is limited, seems to be the only principle of exclusion in the early charters, in one of which (anno 1197) those are declared to be burgesses of the town of Ayr, ‘*Qui illuc venient ad burgum meum habitandum, et ibi sedentes et manentes erunt.*’ (*General Report* 11). The burgesses possessed small messuages or tofts within the burgh, which they held

* The charter of Dundee in 1327 exempts the burgesses ‘*de tholonais, pontagis, passagis, muragis, panagis, cartagis, lastagis, rinagis et picagis, et de tota vendicione sua, achato et rechato, et ab omnibus custumiis, et bonis suis propriis prestandis, nova custuma nostra, que dicitur maleforti* [Qu the Male-toulte or mala exaction of Philip the Fair ?] *duntaxat excepta.*’—*Local Reports* 229.

individually of the Crown. These were at first perhaps granted indiscriminately to all who chose in terms of the above definition to make themselves citizens; but as they were granted to the burgesses and their heirs, when the supply decreased, the burgesses, if property continued to be the qualification, would become to a certain extent an exclusive body. Besides these, estates were frequently granted in trust to the community. In return for their privileges, the burgesses had to give the usual personal services of watching and warding, &c. They had to pay rents for their individual tofts, and the Crown had a right to the fines levied in the burgh courts. This portion of the revenue was collected by officers called Ballivi or Bailiffs. It is the opinion of the author of the Introduction to the Report, that they were chosen by the Crown. It has been shown however (*Westminster Review* xxij. 422.) that officers of the same name discharging a similar duty in England were elected; and as the magistrates of the Scotch burghs who a century or two later bore the cognate name of Bailies, were, it will be shown, elected by the inhabitants, it will require substantial proof to show that these officers of an earlier period held their power from a different source. The collection of the rents from individual burgesses, and paying them over to the treasury, being probably troublesome, the right to receive them was granted to the burghs themselves for a fixed rent or mail, and thus they became communities closed in from extraneous interference, and managing their own internal affairs, having a right to exact tolls and customs, and apply the surplus in their hands called 'the common good,' for the public use of their little commonwealths. The revenue from the burghs was periodically collected by the Great Chamberlain, who had a jurisdiction in redressing all grievances connected with their internal administration. For this purpose he made a periodical circuit, his method of administering justice at which, is laid down in an old code of laws called '*Iter Camerarii*.' It was likewise his duty to preside in a court called '*Curia quatuor Burgorum*,' consisting of delegates from four or more of the burghs, who at first met simply as a Court of Appeal from the decisions of the burgh courts, but afterwards formed themselves into a small parliament, which under the designation of the 'convention of royal burghs,' at one time made important municipal regulations for all the towns of the kingdom, and has not yet ceased nominally to exist.

It is not easy to distinguish the titles and powers of the magistrates at an early period. An officer called '*Præpositus*' is frequently mentioned, and it is probable that the term was

directly imported from the Continent as the latin of 'Prevôt.' 'Provost' became in later times and still is the designation of the chief magistrate; but that station was at one time held by the 'Alderman,'—a term familiar enough to English ears, but now disused in Scotland. A curious illustration of the gradual assumption of English customs and designations in Scotland, exists in the circumstance, that in the burgh of Berwick alone, the chief magistrate was designated Major or Mayor*. The alderman and præpositi appear to have in the other burghs formed the magistracy, and to have been assisted by a 'commune concilium' of 'probi homines.'

The important question of how these were elected, now remains for consideration. The author of the introduction says;—

'At what period the inhabitants of royal burghs were emancipated, so far as to have any share in the choice of their own rulers, can be matter only of conjecture. If the capitulary, known under the title of "*Leges Burgorum*," could be relied on as of uniform authenticity, and of the date usually assigned to it, the question might be easily solved; as, in that compilation, there is the following announcement of the general law and practice, as given in the most ancient copies now extant: "*Ad primum placitum post festum Sancti Michaelis eligendi sunt prepositi, communi consilio proborum hominum villæ qui sint fideles et bonæ famæ. Et jurent fidelitatem domino Regi et hominibus villæ. Et jurent fideliter conservare consuetudines villæ, et quod facient justiciam cuilibet, nec parent alieni de justicia propter iram odium timorem vel amorem alicujus, sed per constitutionem consilium et judicium proborum hominum villæ, justiciæ complementum omnino facient*" That this was a recognised part of the constitution of Burghs royal in the fourteenth century, is sufficiently established by the manuscripts of that age; and the probability seems to be, that this important step in their progress towards independence must have been prior to the period when their consent to the grant of general aids and impositions began to be deemed necessary, and when they were received into the Legislature as one of the estates of the realm.'

'Who the electors of magistrates truly were—the "*probi homines villæ, fideles et bonæ famæ*,"—has been made a subject of controversy; but, as it cannot be imagined that a right or franchise of this nature could possibly depend on any other than plain and tangible criteria, there seems to be no good reason for supposing that the epithets in question had any other meaning or effect than as descriptive of the class of proper burgesses, in contradistinction to the unprivileged in-

* Berwick seems to have been considered a sort of model burgh. Many of the charters simply refer to its privileges as a general rule; and a set of regulations drawn up by a Mayor of Berwick, called '*Statuta Gildæ*,' became a book of general reference as a code of burgh laws.

habitants of the district. Such, accordingly, appears to be the import of the oldest records of a burgh election now extant, that of Aberdeen for the year 1398 :—' Die lunæ proximo post festum beati Michaelis archangeli, anno domini millesimo tricentesimo nonagesimo octavo. Quo die Willelmus de Camero pater, cum consensu et assensu totius communitatis dicti burghi electus est in officium Aldermanni, et Robertus filius David Simon de Benyn Johannes Scherar ac Magister Williclmus Dicson electi sunt in officium ballivorum.' To the term "the whole community," here used, no other sense can well be assigned than that of the entire body of regular burghesses; any other interpretation would seem to be entirely arbitrary.

'Among the "*Leges Burgorum*," it is remarkable that nothing distinctly appears as to the early existence or election of that more numerous body, known in burghs by the name of the council.'—*General Report* 18.

In showing from the Charters of the Burghs and other sources, practical proof of the system of popular election, an apparent discrepancy has created some confusion. A statute of the year 1469 expressly puts an end to popular election, and appoints the system of self-election, which continued till the year 1833. Yet it so happens that no charters of an earlier date contain clauses of election, and it is therefore maintained, that the advocates of popular election are compelled to resort to documents of an age when the self-elective system was made imperative by Act of Parliament, to support their views. It is difficult to accommodate with precision the proceedings of a fluctuating and semi-barbarous legislature. The Acts of the Parliament of Scotland were notoriously evaded and overlooked;—more commonly by the King than by any other person. It might be argued, that by a legal fiction the community were still presumed by the granters of the charters to be the chusers of their own magistrates, although the exercise of their choice was practically committed to the magistrates themselves;—many plausible theories might be formed to reconcile the discrepancy, but two things are very clear. 1st. That these charters give the right of chusing magistrates to the community at large, in the most unequivocal terms; and 2nd, that if the Act in question did abolish the system of popular election, it in doing so acknowledges that such a system once existed. It was stated in the petitions from the royal Burghs of Scotland referred to a Select Committee in 1793, that by the ancient Constitution, the Magistrates and Common Council were chosen annually by the free voice of the Burghesses. Of the sixty-six Burghs, the Committee were enabled to examine the charters of sixty-four, and they reported, that of forty-six which contained clauses of election, only six appointed a self-electing system, the others granting

the franchise to the Burgesses, or Inhabitants, or Community; and in a few instances to 'The Provost, Baillies, Council, and Community.'

The Charters in favour of forty-six of the present Royal Burghs contain clauses respecting the elections. Copies of those clauses are annexed in the Appendix, according to which, the right of electing, or voting in the election, appears to your Committee to be as follows:—

In thirty-two Burghs, the right of election is granted either to Burgesses or Inhabitants alone, or to both, or either of them, joined with the magistrates or other persons in office, or with the community - - - - - 32

In eleven Burghs the right of election is granted to the Provost, Baillies, Council, and Community - - - - - 11

— 43

But two Burghs, Burntisland and Selkirk, have produced two Charters, each containing clauses of election; by the one of which the right is granted to the Burgesses, and by the other to the Provost, Baillies, Council, and Community; and in Rothsay, the recital mentions that the Burgesses had been in all past times in the use and possession of election; but the new clause of election is granted to the Provost, Bailies, Council, and Community; deducting, therefore, those Burghs whose Charters are twice stated - - - 3

Remain— 40

And in six Burghs the right of election is granted to the Magistrates and Town Councils - - - - - 6

— 46

In eighteen Burghs there is no clause of election in the Charters produced - - - - - 18

And two Burghs have not produced any Charter - - - 2

20

Total number of royal Burghs - - - - - 66

Report from the Committee to whom the several Petitions from the Royal Burghs of Scotland were referred, 17 June, 1793, reprinted 1819.

Many of these are so clear and express as not to leave room for the usual ingenious argumentation as to the extent of the terms Burgesses, Community, &c. Thus 'cum speciali et plena potestate burgensibus et liberis incolis dicti burghi, et eorum successoribus, faciendi, elegendi, et constituendi, et creandi præpositum, ballivos, &c.' 'Damus potestatem inhabitantibus dicti burghi, ac consulis et communitati ejusdem pro tempore existentibus unum præpositum &c. elegendi et constituendi*.' In twenty-five of the Charters, it is provided that the election shall be annual, and in three the electors are

entitled to remove the persons chosen by them, when 'for reasonable causes' it may seem expedient. But if Acts of Parliament were at that early period an imperfect evidence of the practice of the law of Scotland, it may be easily maintained that the expressions in royal Charters prove a still more frail foundation. Fortunately, however, some very clear evidence of the practice of popular election has been preserved, which tends to show, that the Crown, in granting so liberal an elective basis, only nominally confirmed well-known privileges of long standing, which in practice the monarchs were prepared rather to undermine than support. Aberdeen is one of the eighteen Burghs having no clause of election, but fortunately the early records of the town have been pretty well preserved, and from these the Committee of 1793 have traced the history of the Burgh franchise. 'From these Papers,' they say, 'it appears, that till the year 1590, the Provost, four Baillies, and four Common Serjeants, were elected annually in the 'liber communitatis* curia capitalis Burgi de Aberdene,' or 'curia capitalis Ballivorum de Aberdene,' holden on the first Monday or Tuesday after Michaelmas yearly, by the express votes of all the citizens and Burgesses, or, as it is sometimes said, of the whole community, taken upon rolls regularly called, and in which the names of all the persons absent were marked, frequently to a very considerable number. It appears, that the Common Council were sometimes elected at the Head Court along with the magistrates, but more generally 'in the Curia Gildæ or Curia Ballivorum Gildæ, holden the Friday after the Head Court, where all the brethren of the Guild were obliged to attend, and where their names were entered in rolls regularly called, and the names of those absent marked in the same manner as at the Head Court†.' The analogy between these Head Courts and the English Court Leet, will readily strike the reader, and as an additional mark of similarity, it would appear that the Burgesses or inhabitants who paid 'suit and presence' in these tribunals, were the persons from whom an Assize or Jury for very important purposes was chosen|. To this Burghmote belonged likewise the power of granting the local taxes, and of keeping a check on their expenditure. To the magistrates belonged the duty, either by themselves or through

* The taking these words in the sense of 'liberæ communitatis,' seems to be a mistake arising from a too great trust in the bad latinity of the Town Clerk. The extract is 'Liber communitatis Burgi de Aberdene est iste qui incepit die Lunæ proxima post festum beati Michaelis Archangel, anno &c.' (Report.) It evidently refers to the keeping of the Record.

† Report, 1793-5.

‡ Connell on the Election Laws of Scotland, 304.

officers called 'Stenters,' to 'stent' or apportion the whole sum on the individual Burgesses according to their means; but when at the corrupt period of the latter part of the seventeenth century, the magistrates attempted to encroach on their privilege by levying assessments by their own authority, they were prohibited from doing so, 'till public intimation were made, and beating of drums, calling the whole inhabitants to show the cause of the imposition,' &c. (*General Report* 45.) In one Burgh, the Head Court with its powers of taxation was discovered by the Commissioners, like a well-preserved relic of antiquity, in all its original purity.

'It has been already stated that the practice of imposing voluntary stents or taxations, as a source of revenue, has all but entirely ceased throughout the burghs of Scotland; and accordingly, in the course of our local inquiries, it has been found that the instances, in recent times, are extremely few. Of these exceptions, the most remarkable occurs in the burgh of Banff, which, even at the present day, affords the singular exhibition of a head court in its utmost purity, and such as it probably once existed in the other burghs royal of Scotland. A stated annual meeting of the court is held on the 31st of December, for the purpose of imposing the cess, or public land-tax, and other taxes for local purposes for the service of the ensuing year; and of all its meetings public notice is duly made by tuck of drum through the burgh, and at different times, and for several days, calling upon all heritors, burgesses, and others liable to give suit and presence thereto, and that none may pretend ignorance." In these head courts, which are lawfully fenced, and in which the magistrates preside, an annual resolution is passed by the members of the said "head court present," that certain specified sums, "as King's cess, and other public stents and taxations of the said burgh, be stented and imposed upon all lands, fishings, houses, tenements, and upon trade and merchandize, and upon the incorporations, and upon residents and inhabitants within the burgh and liberties thereof, for the service of the year, according to the annual practice and custom of the burgh uniformly used and observed, to be apportioned, levied, and collected from all subjects, and persons liable in payment of the same, in the usual form and manner, and conform to the stent-roll to be made up and given to the collector for that purpose; the magistrates and council to name stent-masters for apportioning the same, and which heads of cess, and stent, and taxation so agreed to be vested and imposed," are declared to amount to a certain sum; and the portion applicable to the various purposes in view is voted accordingly. As this court grants the supplies, so it claims the right of inquiry into the disposal of them, by examining the accounts of the burgh, investigating the transactions of the magistrates and council, and approving or disapproving of them as it may deem proper."—*General Report* 46.

But there can be no better evidence of the popular nature of

the early Corporations of Scotland, than the tell-tale words of the Act of 1469 before referred to as founding the self-elective system. It would appear that before the passing of this Act, individuals had acquired influence enough to keep themselves permanently attached to the magistracy, and that their doing so raised discontent and clamour among the citizens. 'Touching the election of Officiaris in Burrowes,' says the Act, 'as Aldermen, Baillies, and other Officiaries, because of gret trouble and contension yeirly for the chosing of the same, throw multitude and clamour of commonis simpil personis, it is thocht expedient that nain officiaris na consail be continuat, eftir the King's Laws of Burrowis farther than a yeir; and that the cheising of the new officiaris be in this wise; that is to say, that the auld consail of the Toune sall cheise the new counsail in sic number as accordis to the Toune; and the new counsail and the auld of the yeir before sall cheise all officiaris pertenyng to the Toune, as Aldermen' &c. This was a strange method, certainly of preventing individuals from monopolising office, but the point towards which the estates of the Scottish Parliament (to whom the burghs had by this time become objects worth attention, according to their peculiar way of looking to the public interest) had their eyes directed, was the putting an end to the discontent of the 'common simple people,' and in doing so, they completely overlooked the petty logical stumbling-block of a contradiction in terms. This fine specimen of what Lord Bacon terms 'the excellent brevity of the old Scotch Acts,' was not immediately adapted to practice, and probably lay by for use when a convenient occasion might offer. It has been seen, that many Charters were granted in contradiction to its terms; and the Record produced by the Committee of 1793, shows not only that it was not acted on for some time, but that attempts at exclusiveness were pretty strenuously and with much legal formality resisted. An Act of Parliament was looked on in that unsettled period as one sort of law, but the custom of a burgh was another, and it would depend very much on the adjunct of physical force which should prove the stronger.

'No instances of any disputes with respect to any of the elections in Aberdeen appear from the Records till the year 1582, when it appears that thirteen tradesmen or craftsmen being called in 'the suit roll by their names to give their votes at the head court in the election of the Provost, and Baillies, and Officers, according to the common order and consuetude of this burgh, observit in times by past, every one answered by themselves personally present that they would give no vote nor election of the said Judges and officers quhill [until] they be restored to their liberty and adjoined to the societie of others,

freemen of the burgh, and the Act, if any be made thereanent, annulled, and therefore refused to nominate any person to exercise the said office, and took acts and instruments [entered a protest] thereupon; and also Robert Menzies Baillie, in name of the Town, took acts and instruments thereupon; and protested that they be not heard to have vote in time coming because of their said present refuse without just occasion." The particular subject of complaint is not very clear, but it is evident that the "tradesmen or craftsmen" still insisted on an extended system of election—their declining to give their votes seems to have given very little pain. A system of exclusion with regard to tradesmen or artisans seems to have been at that time acted on. A Decree Arbitral or decision of a Referee in 1587 bears, that no craftsman shall be a magistrate, until he have become a Guild Brother, and in 1590, the Magistrates and Council convened in the Guild Court, and removed Mr. John Cheyne for sundry acts of disrespect, among which was "that he sought tradesmen to be adjoined to the Council, and would not declare that no tradesman should bear office, nor be upon the Council, according to the mind of an appointment and indenture made betwixt the Burghesses of Guild and Tradesmen of the same." (*Report* 1793-6.)

The Act for making an annual change by means of self-election, having had this effect, that the Magistrates elected 'had continued to sit for thirty years, or at least for many years, without lawful election or change, except it was to place the son in the father's place as one happened to die,' a number of the Burghesses and craftsmen of Aberdeen, 'for themselves, and remanent burghesses, craftsmen and communitie of the said burgh,' raised an action to reduce the elections from the year 1560. They were answered by a writ from James VI, who finding that the portion of the Act which appointed annual changes was of very little value, observed that it never had been followed in Aberdeen, that 'great tranquillity and concord' had followed the non-observance of it, 'and in respect of many other inconveniences which the yearly changing of the council might carry with it, the annual disorder and dissension, and the infinite confusion and peil which commonly accompanys all new changes in commonwealths,' he 'declared that the same council shall remain in all time coming; and in case of their decease, or tried unworthiness, that the other members of the council shall elect others in their places.' Notwithstanding the philosophical command of the royal Solomon, discontents among the citizens continued, and they drove the Town Council little more than two months afterwards to declare, that notwithstanding the excellence of their rule, 'as the present age had produced restless and unquiet spirits, seeking change and alterations, quarrelling the Council that had been for fifty years by past,

accusing the Provost, Baillies, Dean of Guild, Treasurer, and other office-men of 'unlawful usurpations,' they therefore conceded that the Act of Parliament should be followed, and that the magistrates should be self-elected annually, instead of being permanent. This, however, was not what the citizens wished; they still showed their discontent, and the magistrates had recourse to 'an action of Declarator,' (a process peculiar to the law of Scotland), in which it was decided that they were duly elected. Before these 'restless and unquiet spirits' were finally set at rest by a decision of the King as umpire, and twelve arbiters, the quiet Council 'that had been for fifty years by past,' had to suffer several attacks both manual and legal. Notwithstanding these judgments, the Burgesses appear, before and at the ensuing election, on the 28th September 1592, to have assembled in arms in Grey-Friars Church-yard, and the rews [streets] adjoining, and in the House of Mr. John Cheyne, and in the house and lodging of William Gray, in the Gallow-Gate; and double elections were made by both parties, although the particular circumstances of the elections do not appear, the records being expunged in obedience to the Decree Arbitral after-mentioned. The Burgesses, or Community, or Commons, or neighbours, as they are described in different parts of the proceedings, brought actions against the Magistrates and Council, "for oppression, blaid, and deeds of wrong," for reducing the election made by the Council, and they even obtained a determination of the burghs at Kirkcaldie in their favour, from which the Council brought an appeal or suspension to the Court of Session. Various other actions, at the same time, were brought by the Magistrates and Burgesses or Community respectively, against each other*.' The system of self-election being gradually forced on the different burghs, they fell into slightly distinct modes of interpreting the Act of 1469, and thus were established their respective *setts* or constitutions, differing in minute points, but bearing a general resemblance.

In the age of disorder and aristocratic-ruffianism in which they were established, the privileges of the burghs were of vast advantage to the country as affording asylums from the injustice which pervaded the rest of the land. They were of advantage, not in monopolising to individuals rights which might have been extended to all, but as protecting some at least from the general system of misrule which the government was too powerless to drive from the kingdom; and many early documents show how well they have served as at least a partial refuge from the

* Report of Committee, 1796.

insolence and rapacity of the aristocracy*. Even mutilated as they became in the sixteenth and seventeenth centuries, civilization and commerce had not so far advanced as to make their privileges a general burden on the community. When the later Stuart kings were trying to advance their prerogative, the burghs became the seats of popular opposition;—for even close corporations are sometimes barriers to the advancement of despotism, as they are to that of improvement, and they thus rendered themselves, as in England, the great objects of destruction to Charles II. and his active slaves. It was when commerce began to be propagated and protected all over the country, when the laws were equal, and the peasant did not require to take refuge from the incensed Baron within the wall of a fenced city, that the preservation of the unnecessary privileges of burghs became a burden to the community in general, and what before was a shield of defence, was transformed into a weapon of assault. The privileges were before, merely protections from injustice; afterwards they became positive advantages which a part of the community could enjoy at the expense of their neighbours. And as in all similar instances which have ever existed in any part of the world, those who happened to enjoy the advantage for the time being, took very good care that it should not depend on blind chance to point out the persons who should succeed them. This leads directly to the consideration of those curious fruits of the self-elective system, which have been exposed to view in the different Parliamentary inquiries. The Scotch are a quiet persevering people, who make little noise, and do the thing they are about in a very decided manner. When induced to make a struggle for liberty, they have generally set out in the right direction and reached the mark; and when a certain portion of their number possessed so pleasant a stock in trade of self-aggrandisement, they employed the tact and perseverance in applying it, which every prudent man was bound to. With a steady and unflinching perseverance, the little parties of sober citizens who had got possession of the respective corporations, kept their hold year after year, alike uninjured by revolution within, and undismayed by the cry of public indignation from without. The undying patience, and ever ready ingenuity, with which a party of three or four, or perhaps a single individual, once possessed of a majority of supporters in a town council, managed to preserve the precious right to a good old age, and to transmit it in the hereditary line, or to some fortunate successor, would be worthy of the imitation of politicians in a higher sphere. It

* Vide *Leges Burgorum* cap. 17. and provisions in the charter cited.—*Local Reports* 13 and 99.

appears,' says the report on the City of Edinburgh in 1819, 'that pledges have been required from, and given by those desirous of getting into the council, that they would support a particular system of politics, and "avoid being troublesome while they were there," in order to their being admitted; and it is stated in evidence, that those who showed a disposition to examine into the state of the city's affairs* were ever afterwards excluded. A paper given in to the committee of 1819 gives a luminous and clear account of the constitution of Dundee. 'Mr. Riddoch has been the leader of the council for nearly forty years. By the practice or constitution of the borough, he cannot hold the office of Provost more than two years successively; he has, therefore, been accustomed to place in the civic chair, during the apparent intervals of his own administration, a locum tenens†. Mr. Alexander Thomas was his locum tenens for many years previous to 1800; since that period, Mr. Guild has been the locum tenens; but he being disabled by age and infirmity, at Michaelmas last Mr. Patrick Anderson got the situation. The chief causes of removal from the town council, are death, superannuation, and opposition to the leader. Few councillors have been removed for opposition to the leader, because of the discrimination and prudence with which he has selected them from the great mass of society‡. "You have said," observed the Committee to this powerful chief, "that you had no greater power in naming the new members of council, than other persons in the magistracy, but that you stood very well with the magistracy?—Yes.—"You agreed with them?—We agreed; but I never formed a council yet without the consent of the magistrates; they sometimes prepared names for me, and recommended acquaintances of their own."—"In short, you continued to understand one another perfectly well, during the time you were Provost of Dundee.—Very well, I believe." The Provost could express as high a contempt for 'reforming gentlemen' as the Duke of Newcastle might do, and on as good grounds. When asked by the Committee if there were not some complaints against the employment of the funds of a charitable institution, in building a wall which was quite useless except to the contractor, he replied, 'It was complained of by all the gentlemen. No wished reform; but it was not a general complaint; it was highly approved of by a great many respectable inhabi-

* Report of the Select Committee, to whom the several Petitions from the Royal burghs of Scotland were referred. 1819.

† Report 1819. Minutes of Evidence, 278.

‡ Report 1819. Minutes of Evidence, 399.

tants*.' An equally perfect system was exhibited in the case of Aberdeen. 'The old council elect their successors, by which means it is not only possible, but almost invariably happens, that by alternate elections of each other, the same party maintains possession of the council, to the entire exclusion of the rest of the burghesses. And although, by the sett, fifteen out of nineteen members composing the council must retire annually, it appears by the return of members of council for the last twenty years, and by the evidence of the Town-clerk, that during the said period, Provost Hadden had been fifteen times in council; his partner, Provost Brebner, ten times; his partner Provost Leys, ten times; his brother Mr. Gavin Hadden, ten times &c., and that the majority of the council have been the same individuals during that time, and chiefly either relations or connexions in business of Provost Hadden, who has been considered as the leader of the Town Council for the last twenty years—and that whether he was in or out of Council at the time†.' Notwithstanding the expressions of popular discontent, which reached the ears of Parliament in 1793 and 1819,—as no legislative relief of any importance was obtained, no occasion was felt to alter the system, and it continued in full purity till it was extinguished in 1833. Owing to this circumstance, it has not been a prominent subject of inquiry with the Commissioners whose report is placed at the head of this paper; but in the discussion of the many malversations which were occasioned by it, it could not but occasionally obtrude. As a specimen of the minuteness of the space within which aristocratic exclusiveness can grow and flourish, take the following statement as to the government of Fortrose, containing 900 inhabitants.

'The burghesses, both in direct terms and by statements creating irresistible inferences, proved that Mr. M'Farquhar had alone managed the affairs of the burgh. Mr. John Macleman declared, "That he is a native of Fortrose, where he has resided all his life. That he was formerly in the council for ten years: that he, along with six others, was turned off for voting against the Provost (Mr. M'Farquhar) on the election of Mr. R. Grant about four years ago; that no member had anything to say in Council, but M'Farquhar; if any one opposed him he was turned off immediately. And that the inhabitants and burghesses, and even members of Council have been kept blind to all the affairs of the burgh.' Mr. Donald M'Kitchie declared, that Mr. M'Farquhar in fact conducted the whole business of the burgh, whether he nominally filled the office of Provost or not. And that, on occasion of the contest for the representation of this district of burghs between Mr. R. Grant and the Laird of M'Leod, the party in the council with

* Report 1819. Minutes of Evidence, 416.

† Ibid. 214

whom the declarant acted, was offended at Mr. M'Farquhar's promising Mr. Grant the burgh vote without consulting with the council; and that party accordingly supported Mr. M'Leod. On which, Mr. M'Farquhar, having outvoted them by one in council, turned out the whole opposing members of council, that is, five the first year, and two the next, stating "that as they could not agree in politics, a separation was desirable."—*Local Reports* 460.

After the extraordinary exposures by the Committee of 1819, the only measure attempted for securing the public from the speculation and malversation of the self-elected, was an Act to provide for the regular publication of accounts, which proved in a great measure useless from circumstances which it would be tedious to detail.

'However well intended,' says the report, 'it is now unquestionable that the provisions of this Act have proved nearly useless. There have been six different suits under it, in three of which the burgesses failed; in one they were successful, and in two others the proceedings were not brought to a conclusion.'—*General Report*, 30.

The magistrates of the larger burghs could not in the face of such an Act, withhold a nominal acquiescence; but with the exception of the town of Glasgow, it would appear that the accounts were generally so incomprehensible, as to be accurately adjusted to the previous ignorance of the public concerning the state of the corporations. But the statutes at large were too lofty a guide to be followed by such men as Mr. M'Farquhar.—

'Interrogated why the provisions of the said statute were not complied with? Declares that the only reason which he can assign is, that he did not consider it of importance so to do, on account of the small concerns of the burgh.'—*Local Reports*, 151.

Accordingly he adhered to his old system, which is thus sketched.

'He declared that he considered himself responsible from the year 1809 down to the date of his examination, for the sums received and paid out on account of the burgh, and that "he makes himself responsible." One person of the name of Dempster an innkeeper in Fortrose, (it afterwards appeared) he had occasionally used as an assistant, deeming him the only person in the Council "he put confidence in to do business."

'In the exercise of this plenary power and knowledge, all sums of money were paid over to him, and occasionally they were misappropriated. All the burgh books and accounts were kept in his personal possession, and he even retained privately important minutes of Council without causing them to be entered in the minute book. Law-suits were entered into, and considerable sums were expended without the authority of any recorded minutes of Council. While he so readily took upon himself the pecuniary responsibility, he declared, when asked if he would undertake to produce positive vouchers for his intrusions, "that he does not know that he can produce express positive vouchers."—*Local Reports*, 456.

The enormous debt which had accumulated under such a system, and continued to increase up to the period of the Commission, must be a subject of considerable alarm to those interested in the welfare of the Scotch burghs.

'In the contracting of debts, the managers of Municipal Corporations appear to have possessed facilities which have proved most mischievous to all parties. Relying upon the credit of public funds, the true value of which was ill understood, or skilfully misrepresented, private individuals have been but too easily induced to become lenders; and magistrates themselves, being frequently the trustees of public charities and endowments, have seldom scrupled to avail themselves, for burghal purposes, of funds which were thus placed within their grasp. Borrowing in this manner from themselves, it is unnecessary to prove that those rules by which prudent men are guided in pecuniary transactions, would not be very strictly observed. Accordingly, it has repeatedly happened, either that no specific security was given, but the trust funds were blended with those of the burgh, or the security on which they were ostensibly borrowed was of little or no value. Thus the magistrates and council of Edinburgh borrowed the funds of a trust, of which they were the sole managers, and impledged the ale-duties for repayment, though these duties were greatly inferior in amount to the debts with which they were already burthened, and were to expire in five years. In Aberdeen, the magistrates and council not only borrowed funds on the security of heritable property belonging to charities, of which they were the sole trustees, but sold part of that property, to the amount of nearly £5,000*l.*; and applied the whole in payment of the debts of the city.'

'In very few instances has obedience been paid to the injunctions of the statute 1693, that the causes of borrowing money shall be specified in a minute of council. The minute usually sets forth merely that the council authorized a certain sum to be borrowed. It is no apology that the later Act of 3 Geo. IV, c. 91, neither enjoins specification, nor refers to the statute 1693; for, as this last statute has not been repealed, compliance with its provisions is necessary. So little, however, have they been regarded, that in one instance the magistrates admitted that it was "not easy to ascertain with accuracy the exact periods when, and for what purposes, the debts were incurred".'

'In Dumbarton it was a common practice for the treasurer to report to the council that he had received cash advances from members of council, or other persons; and the money having not only been thus borrowed without authority, but even expended, the collector was authorized by the council to grant bills for the total amount. Payments were likewise frequently made to the creditors of the burgh, not through the treasurer, but by individual members of council, whom

* Report of Committee of House of Commons, 1819, p. 34, relative to Dunfermline.

the council afterwards recognized as creditors, and granted bills to them.

'Edinburgh has lately become insolvent; and while there has been much dispute as to the real value of the assets, it seems certain that the debts amount to upwards of 688,648*l*. The disclosures made before the Committee of the House of Commons in 1819, were sufficient to have satisfied men of ordinary prudence that the affairs of the city were in so dangerous a state, that the utmost economy was necessary to avoid bankruptcy; but, nevertheless, a system of profuse expenditure was continued; although, according to the evidence of the accountant, he repeatedly acquainted the corporation of the peril to which they were exposed. Devices of various kinds were adopted, in order to satisfy the demands of pressing creditors, and to avoid a declaration of insolvency; and, even when that declaration had become unavoidable, states of affairs were exhibited, which, upon examination, were found to be fallacious. In 1833, a statute (3 and 4 Will. IV. c. 122) was passed, by which the property of the corporation was vested in trustees for the payment of their debts.'—*General Report*, 35-6.

Dundee is reported as in debt to the amount of 86,554*l*. Perth to the amount of 40,646*l*. The city of Aberdeen became bankrupt in 1817, and in 1819, its debts are calculated as amounting to 231,600*l*. The public accounts, in which so great reliance is placed that the town has recovered its credit and has been offered loans from various quarters, represent the debt as having decreased in 1832 to 199,590*l*. It appears from the report, however, that the sum of 46,171*l*. due to the town has since been paid up, so that the property parted with exceeds the debts paid off, by upwards of 14,000*l*. Dunbarton with a population of 3,623, is in debt to the amount of 19,108*l*. Burntisland, with sixty-one ten-pound householders, has managed to incur a debt of (deducting assets) 3,081*l*. Dunfermline with 397 ten-pound householders, owes 15,552*l*. How these debts can be met without the imposition of such a tax as would nearly depopulate many of the burghs, it is difficult to conceive. The alienable property of the Corporations has in general been long ago disposed of; and when public attention has been directed to the subject and accounts have been published, the general practice has been to estimate the value of all the public property, such as churches, town-house, harbours, &c., and to value the fluctuating taxes at twenty years purchase, without deducting the expense of collecting. These debts have been occasioned by all the different methods of abuse which ingenuity could devise,—planning public works for the employment of members of the council, selling them property by private bargain and sometimes not receiving even the nominal sum bargained for,

overpaying officers, eating and drinking, &c. The Scotch also are naturally a litigious people, and it may be easily believed that those who can carry on lawsuits at the public expense, will not stint themselves in their favourite amusement.

'Lawsuits have been a source of great and general waste. The rights of a community must no doubt be supported; but, judging from the great number and heavy costs of the suits in which burghs have been involved, it is impossible not to conclude, that they have been frequently engaged in without due deliberation. To these expenses must be added the cost of procuring Acts of Parliament for improvements, which is often much increased by unnecessarily sending deputations to London. In Edinburgh, these united expenses were, for the years from 1819 to 1832, upwards of 35,500*l*. In Dundee, the law expenses, from 1788 to 1818, amounted to 4,316*l*. 16*s*. 10*d*.; within the last eight years, 4,800*l*. have been expended on procuring private statutes; and for the years 1828—1833 inclusive, the account for law agency amounted to 3,637*l*. In the smaller burghs, the evil has been proportionally great. In Dumbarton, the law expenses have, since 1807, amounted to 6,700*l*. In St. Andrew's it appears in evidence that a "great deal of money was thrown away in lawsuits;" one of which was an action of damages brought against two of the magistrates for cutting down certain trees. The council resolved to defend the suit, which cost upwards of 600*l*. In the small burgh of Dingwall 1,200*l*. were expended in an action with regard to a right of fishing, which, considering the nature of the right, or at least the mode of using it, could not be deemed worth that sum. In Portrose, a large sum (the precise amount of which could not be ascertained) was expended upon a lawsuit, for which the council records exhibited no warrant. In Burntisland 500*l*. were expended in a lawsuit between the magistrates and burgesses. And in Annan, the funds of the burgh were applied in paying the amount of damages and costs awarded against the Provost, senior Bailie, and Procurator Fiscal for false imprisonment.'—*General Report*, 35.

Some expense from a similar cause was incurred by Dundee under amusing circumstances.

'Do you recollect the case of Cohen a hatter?—I do.

'Was he not prohibited from selling his property in the streets?—He was.

'By whom was he expelled the Town?—Instead of being expelled, he was forcibly taken away from the place where he was selling his goods, and that by order of the magistrates.

'Did you ever hear any reason assigned?—None; it was generally supposed because there were several members of the council who were in that line, and sold hats.

'Was any process entered against them for having so acted?—Yes. Cohen did bring an action against them before the Court of Session, and they were found liable in damages and expenses, I understood.

'Does it consist with your knowledge who paid the expenses?—

I believe they were paid out of the public funds, although the decision of the Court of Session was, that the individuals should pay the expenses.'—*Report of 1819, Minutes of Evid*, 396.

It would be unpardonable to admit the achievements in expenditure accomplished in Inverury, a burgh containing 994 inhabitants.

'By a Return made to the Commissioners by Mr. Yeates the Town Clerk, the accuracy of which is confirmed by Mr. Dyce the Chamberlain, it appears that the Magistrates and Council have alienated property since the year 1791, for which they have received prices amounting to 2,449*l.* 2*s.* 6*d.*; and have, during the same period, purchased one bit of land, for which they paid 49*l.*

'It does not appear that these alienations were necessary to supply money for the proper purposes of the Burgh, or that any considerable part of the prices obtained, was applied for the improvement of the Town, or the advantage of the community.'

'It appears from the evidence given before a Committee of the House of Commons, appointed to consider the Petitions of the Royal Burghs of Scotland in 1821, that the prices received for the property alienated between November 1805 and January 1819, amounted to 1,573*l.* 14*s.*; and that the whole sums which have been usually expended during that period, amounted to 210*l.*, leaving 1,363*l.* not accounted for by any useful expenditure. It appears from the same evidence, that between the years 1803 and 1817, 600*l.* 17*s.* 6*d.* had been expended, in paying Tavern Bills, for the entertainment of the Council, to Mr. George Lyon, who then was, and still is, an innkeeper, as well as resident Chief Magistrate of the Burgh; and in paying travelling expenses, and newspapers for the Magistrates and Council.'

'It appears from the same evidence, that Basil Lyon did not render his accounts for these entertainments to the Council, at the time they were given, or say anything about their amount then, but they were made out afterwards at Mr. Lyon's pleasure, and, on some occasions, they were charged higher than the amount of the articles supplied warranted; and that the travelling expenses, charged for the Magistrates, were not incurred on business of the burgh of Inverury.'

'It appears from the same evidence, that Mr. Lyon had embarked in a speculation for making bricks, on which there was a loss of 180*l.*, which was paid from the Burgh funds. Mr. Lyon, in his examination, said, that this speculation was authorized by a meeting of Council; but he could show no Minute of Council authorizing it, and the account he gives of the transaction does not appear satisfactory.'

'Mr. Lyon, while Chief Resident Magistrate of Inverury, was in the practice of marrying persons coming before him, by fining them on their confession of an irregular marriage; on which occasions, he received a fee to himself. On this account, he was indicted by the Lord Advocate of Scotland, and he incurred an expense, amounting to 2*l.* in preparing for his trial before the Court of Judiciary; which was paid, by order of the Council, from the funds of the Burgh, in the year 1812.'

'Mr. Lyon was Resident Chief Magistrate of Inverury from the year 1805 to the year 1821, and, during that time, had the uncontrolled management of its affairs; notwithstanding the exposure of his conduct, by his own evidence, and that of the other witness examined before the Committee of the House of Commons in 1821, by which it was proven, that he was most unfit for the office. He was continued without intermission, in the same situation, from that time down to last election of the Council under the Burgh Reform Act; and his management continued to the last most objectionable.' — *Local Reports.*

The Scotch Corporation Reform Act was a crude and hasty measure, passed without the statistical data necessary to make it an efficient and permanent code of Municipal Government. It was accomplished in haste and fear, at a moment when the Lords had stayed their hand from destruction. Those who brought it forward, had the alternative of passing a measure which embraced the great leading principles of Municipal Government, and might be the basis of a more detailed and accurate system, or of waiting to make their inquiries, and finding when they had made them that they were of no use. The former has, as matters have proceeded, proved the wiser choice. The reform which the burghs of Scotland have obtained, is perhaps more extensive than would now have been conceded, on many inscrutable grounds which would have been brought forward; and it must have had this good effect, that those who had allowed it to pass unquestioned, could not very conveniently come forward and deny any reform to the Corporations of England. Among the most important of the omissions in the Scotch Act, is the allowing exclusive privileges to remain unabolished. It appears, that the exclusive privileges of trade have nearly vanished; but that those of the crafts still continue, and are for very substantial reasons enforced. The two objects in view are, the suppression of competition, and the limitation of the number who share in accumulated funds. This is accomplished by allowing the sons, and sometimes sons-in-law, of freemen to enter the Corporation for a merely nominal sum, while exactions, sometimes unlimited, may be made on strangers. Thus in the small burgh of Cupar in Fife, the Corporation of Hammermen charge on the admission of a stranger 30*l.*, for the admission of a freeman's son 17*l.* 1*s.*; and the Bakers charge to a stranger 50*l.*, and to a freeman's son 2*l.* In Brechin, the fee of a stranger entering the Hammermen's craft is 10*l.* 19*s.* 8*d.*; that of a freeman's son or son-in-law, 14*s.* 8*d.* In Elgin, where the admission of a stranger to any one of the trades is rated at 16*l.*, freemen's sons are admitted at rates

varying from about a guinea to half a guinea.—*Local Reports.*

'The fees of admission to the guildry of Inverness have, during the last thirty years, been capriciously raised and lowered. From 1826 they have been 20*l.*, but ever since they were thus supposed to have been fixed there have been some exceptions. In a word, this body claims and exercises the right of favouring some individuals by admitting them at low fees, and of subjecting others obnoxious to them to a severe penalty. All the corporations assume the same power of arbitrary exaction, which, in some instances, has been most unjustly exercised. The deacon of the shoemakers, in 1833, was the first who paid 31*l.* 10*s.*,—a previous offer by him of 20*l.* having been refused. This he attributes to his having come from London and established his business beyond the bounds of the royalty, and having become the partner of a company within the royalty consisting of persons not operative tradesmen, which created some jealousy against him. The deacon's former partner in that concern (a banker) was compelled to pay 50*l.* on entering the incorporation, and the incorporation might have rejected him altogether because he was not an operative craftsman. The funds of this corporation being small, these rates must have been charged for the causes assigned, as no pecuniary equivalent could be given. The corporation of fleshers of Stirling consists of eight persons. Two of these only are resident, and two others are their sons, but not connected in business with them. The amount of entry money was successively raised from 25*l.* to 32*l.* 10*s.*, to 60*l.*, and to 100*l.* Evidence was likewise required from the applicant that he was worth 150*l.* of free property. Since the last rise none have been admitted to the freedom, with the exception of two sons of the present resident members, from whom, in place of the large sum of entry money, a fine of 8*l.* each only was exacted. This corporation has valuable privileges connected with their trade, as the choice of the twelve best stalls in the market rent free. But their accumulated property is insignificant. In these instances, the object of the corporations in exacting high rates obviously was to exclude strangers from participation in their trade. In other instances, this motive has been combined with that of excluding strangers from a right to share in a large accumulated fund. The bakers of Glasgow have heritable property to the amount of 30,000*l.* The entry money for their sons is 3*l.*, and that for strangers 100*l.* The latter motive alone operates in other cases. The glovers of Perth have heritable property amounting to nearly 1100*l.* a-year. The sons of freemen, who need not be operative, pay 1*l.* of entry money, and strangers, who must be operative, 100*l.* This system has produced results very injurious to young tradesmen. For example, "it has been stated that many young men are ruined by being forced to enter with the incorporations before they can afford it, and several instances have been mentioned to the Commissioners where they have soon afterwards failed and become a burthen on the funds of the incorporation."—*General Report*, 85.

The instances of small oppression and peculation perpetrated by means of these privileges, are very amusing.—

‘Mr. Thomas Morrison, member of the incorporation of shoemakers, and Binders of Dunfermline, declared, “That he considered the exclusive privileges of the incorporated trades a source of great oppression; and that they have been very injurious to the interests of the town.—That even in his own incorporation, the rights have been most rigorously enforced against unfreemen;—That he has often had occasion to remonstrate against their proceedings on this ground, but he never found them disposed to listen to reason. Unfreemen have the power of exposing shoes for sale upon stalls, in the streets, on market and fair days, and some years ago, his corporation were in the habit of exercising the power of examining the shoes so exposed for sale, by means of visitors appointed by them, and of fining those whose shoes they deemed not sufficient;—That in this way, they sometimes levied 6*d.* upon one pair of shoes, and 3*d.* upon another, until they realized a sum sufficient to keep them drinking for the whole of the fair-day; he, himself, thought this so unjust, that he erected stalls for the unfreemen beyond the royalty. On which account the Magistrates fined him 1*s.* for seducing the people away from the Town’s Market.”—*Local Reports*, 1855.

In Queen-terry, the Wrights, consisting of three members, divided the funds. In Edinburgh, the Butchers did the same on a larger scale, pocketing 100*l.* each. In Ayr a more circum-spect method was adopted. Each of three members of a corporation having received his share of the funds, deposited his bill in what is called the ‘box’ of the trade, where it was accessible only to himself and his companions in the project. It is the opinion of the Commissioners that the Guildry of Forres have quadrupled the entry fee, in order that their capital which is just now pretty considerable, 1,600*l.*, may be soon worth dividing. The evils of these privileges are severely and practically felt in thriving towns, and when they have no worse effect, drive the citizens to inconvenient suburbs. The small portion of Glasgow over which the privileges extend, is almost depopulated in comparison with the other portions of that crowded city. It is honourable to the members of these corporations that they have shown in general a willingness to be deprived of their privileges, and have on some occasions voluntarily given them up. It is singular that the tailors are on almost every occasion, (Glasgow being an exception) the champions of privilege; a circumstance which may be owing to the dangerous superiority of the fashioner from London who establishes himself in a small country town. The general argument for the support of the privileges was, that as the present members of the corporations had paid for them, others should not be allowed the same

benefits without a similar sacrifice. The Deacon of the tailors in Crail said that the privileges 'were the means of enriching his corporation;' and added 'that the property of the corporation consists at present of 5% lent out on interest.' The wrights and masons of Portsburgh took a different view; they thought it would be 'improper and unjust' to deprive them of their privileges, as they had expended 1,500*l.* within the last forty years in defending them. It was the opinion of the Commissioners that the defenders of the privileges generally spoke under the impression, that the claims of the freemen were of the same nature as those of members of a benefit society.

The abolition of separate commissions of police, and the devolving of their duties on the bodies to whom they legitimately belong,—one of the measures accomplished in the English Burgh Reform Act,—is strongly recommended by the Commissioners. At the same time, the necessity of depriving the magistrates of their present powers as judges civil and criminal, is unequivocally urged. The boundary of these powers is hardly known in law. In criminal matters, some royal burghs at least, have had powers scarcely second to those of the King's Judges, and they are undoubtedly, capable, generally speaking, of deciding such civil cases within their bounds, as are competent to be brought before the Sheriff or chief local Judge within his county. They possess moreover a power which the Sheriff has not, and which is the chief occasion of resorting to them;—that of imprisoning for debt on their own writ. The administration of the civil law has been felt by the magistrates too heavy a burden, and the duty of drawing up the decisions has been committed to assessors, who not being looked on by the law as Judges, are of course not responsible. This duty is performed by the Town-Clerk, where that individual happens not to be of weak intellect or a minor; and in most cases the assessor is an active attorney of the town in which he virtually acts as Judge, getting some professional brother to sign the papers of those suitors before his court, who may happen to be his own clients. The criminal law being a weapon much more easily and expeditiously handled, and involving less responsibility, is generally kept by the magistrate in his own hands, and he can retire from the counter to the bench, to dispense the formalities of Justice's justice. Of the method in which this duty may be accomplished, the following is a specimen, from the report on the burgh of Forres.

'The criminal or police jurisdiction of the Magistrates, although comparatively useful in a burgh twelve miles distant from the seat of the Sheriff's Court of the county, is represented to be so cumbrous and

expensive as almost to preclude its proper exercise. Only seven cases for petty crimes have been tried annually on an average of the last thirteen years. One of these cost the burgh 7*l.* 13*s.* 8*d.* of expenses; and although this is above the common expense, yet the charge of trial is generally heavy, and the delay legally required so inconvenient, that frequently an arrangement is made with the accused to submit himself to the leniency of the Magistrates; or, what seems still more objectionable, if the accused denies the crime, he is remanded under pretext of further examination, and held in prison for a time judged commensurate to his alleged offence.—*Local Reports* 450.

This exhibits a prudent economy of the public purse, which may be well contrasted with the instances of extravagance brought forward as to other matters. It is proposed by the Commissioners, that wherever there is a resident Sheriff, the whole jurisdiction civil and criminal (except such as strictly belongs to matters of police,) should be vested in him. Where there is no resident Sheriff, the want may be supplied by appointing Sheriffs to hold circuit courts for small debts, from time to time, in every town of consideration.' Those merely *pro forma* judicial acts which require expedition, and such as the Romans included within the '*Jurisdictio voluntaris*,' are proposed to be committed to the Town-Clerk or any other competent person. Independently of the salaries now paid to the Town-Clerks, a portion of the money annually expended on the non-resident Sheriffs, who only dignify their respective districts, might do much to promote the ends of justice within them, by supporting additional stationary jurisdictions, and circuits at short intervals. The power of local taxation is one of the most important which has come under the view of the Commissioners. It has been mentioned that this power formerly existed in the Head Court of the citizens, and it had been in later times to a certain extent acted on by the magistrates, although their right to such authority is questionable. It is proposed to revive the old system, and to put its exercise into the hands of the popularly elected magistrates, with the following limitations.—

1. In every case an act of council should be passed, setting forth in detail the state of the burgh revenues that has given occasion to such assessment, the amount of revenue required, and the particular purposes to which it is meant to be applicable.

2. This act of council should be published to the inhabitants in one or more of the newspapers of greatest circulation in the district, and also in any other way which the council may deem proper, for at least three months preceding any annual election of councillors; so that in all cases an election may take place between the date of such notice and the actual imposition of the assessment.

3. Without attempting to enumerate all the branches of municipal expenditure which might properly give occasion to such assessments, and still less to impose any direct check on the discretionary power of the burgh magistracy in that respect, we may be allowed to state, as obviously falling within the class of municipal purposes for which provisions must be made, the maintenance of an efficient police, including the paving, cleaning, lighting, and watching the streets of the burgh, the erection of works for the introduction of water, when a public establishment for that purpose has been found necessary, the upholding of the gaol of the burgh, or the contributing for the erection and support of a district gaol, the expense of apprehending and maintaining prisoners for offences committed within burgh, and, finally, the payment of salaries, or other allowances, to the functionaries of the burgh, such as town clerks, chamberlains, and other inferior officers, if any such should be deemed necessary.

4. We are of opinion that the basis of such assessments should be the real rent of all heritable subjects within the boundaries of the burghal jurisdiction, (excepting such portions of land as may be occupied for purposes entirely agricultural,) one half of the tax to be paid by the proprietor, and the other by the tenant. It seems also expedient that tenements under forty shillings of yearly rent should be expressly exempted from assessment.

5. With a view to the unavoidable expense that may be incurred on public works for the use of the burgh, it appears to us fit that a power of borrowing money on the credit of such assessments should be allowed, similar in its objects and extent to what is provided by the act 3 and 4 Gul. IV. c. 46, for enabling burghs in Scotland to establish a general system of police.

6. All individual exemptions from taxation should be done away; saving, however, during the lives of the parties, any existing privileges of that kind which had been acquired by freemen and burgesses on their entry.

The question is one of difficulty, but on one point most burgh electors of Scotland would agree, viz. that with all due confidence in their representatives at the Council table, as fit to manage the affairs of the Burgh put into their hands, they would by no means entrust to them the taking additional power to themselves, by exercising the right of taxation to any given extent; and the plan proposed by the Commissioners evinces their jealousy, in the suggestion that between the proposal of ~~tax~~ and its adoption, an election of one-third of the council should be allowed to take place, an event which might certainly show the public feeling, and occasionally defeat the measure, but which would not act as a sure control over those personal feelings which cannot but operate powerfully on men connected with the property and trade of comparatively small communities. There is, indeed, just now an instance, in which the inhabitants

of a town are strenuously resisting an application by a popularly elected Town-Council for a local Act of assessment, and alleging personal motives. On the other hand, there is no doubt that a method of avoiding the expense and delay of local Acts of Parliament would be a great boon to the Burghs in general. In some of them the citizens have voluntarily consented to assess themselves for the purposes of lighting, watching, &c.; and in others, similar measures have been rendered abortive by contumacious individuals refusing to pay. It would be quite impossible, in most instances, to get the old Head Court established with the power of taxation; but there is no reason why a town-councillor should only be entitled to vote for a tax when it is sanctioned by a majority of his constituents. Two flagrant instances, in which the authorities appealed to a general vote, and afterwards procured Acts of Parliament which justified an enormous expenditure, have been brought forward as founding objections to such a plan; but in these the measures were proposed in a modified form, and it was by the Acts of Parliament that the extravagant expenditure was justified.

An extension of the suffrage is an improvement which this Report has not suggested. Even if intelligence, or connexion with the affairs of the town must be the criterion, the limitation to 10% householders is too narrow. In the smaller Burghs particularly, a rent between 5*l.* and 10*l.* is considered highly respectable. In Dornoch, the 10% householders are to those between 5*l.* and 10*l.*, as 20 to 40; in Dumbarton, as 165 to 151; in Dunfermline, as 397 to 152; in Forfar, as 150 to 331, and in Forres, as 192 to 105. In one or two Burghs where the Town-Council is disproportionately large, a sufficient number of qualified persons have not been found willing to act. When Sir John Hay proposed in the House of Commons that the franchise should be extended to 5% householders, the Lord Advocate answered that it would be impossible, were this granted, to refuse a reduction of the Parliamentary franchise to a similar level. He may be right in the remark, without possessing the merit of having suggested an argument.

On the whole, the conflicting nature of the measures for reforming the Corporations of the two countries, may be turned to ultimate advantage. The Scotch are certainly entitled to a Burgh franchise as extensive as that of England; and, on the other side, the English have precedents for supporting their claim to the abolition of the three-years' residence, the qualification for members of the common Council, and the extended tenancy of office by Aldermen.

ART. X.—*Report of the Copyright Case of Wheaton v. Peers decided in the Supreme Court of the United States, with an Appendix containing the Acts of Congress relating to Copyrights*—8vo pp 176 New York 1834

THIS work contains a report of a very interesting case, determined in the highest American court of justice, respecting the law of literary property. The matter is of common concern to all who live by literature, both in this country and in America, and the decision in question seems to leave the law in America even in a more unsatisfactory and uncertain state than under the administration of justice in England.

The monopoly of the art of printing in this country was asserted as a branch of the royal prerogative under the Tudors, upon the pretext that the king had introduced the art secretly, and at a great expense, from Haarlem in 1468. It is, however, generally admitted, that the first book printed in England was 'The Game and Play of the Chess,' published at Westminster by Caxton in 1474. He continued to practise his art without a rival for nearly twenty years, and it is obvious that the question as to literary property could not arise while the art was in its earliest infancy. In 1556 there is the first evidence of the recognized legal existence of this species of property, in the charter granted to the Stationers' Company, who were then incorporated with the exclusive monopoly of the art of printing. They thus became the sole purchasers and possessors of copyrights, and kept a registry to show who was the proprietor of the copy of any book. Carte, the historian, says that 'he was surprised, on examining one of the registers in Queen Elizabeth's time, from 1556 to 1595, to find, even in the infancy of English printing, above two thousand copies of books, entered as the property of particular persons, either in whole or in shares, and mentioned from time to time to descend, be sold, and be conveyed to others.' (Maugham on Literary Property, p. 17.) It also appears from the leading case on this subject, of *Miller v. Taylor*, hereafter referred to, that there were entries, even as early as 1558, of the ownership and transfer of the copyright in books. The monopoly granted by the Crown to the Stationers' Company, was made the instrument of exercising an absolute authority over the press through the extraordinary jurisdiction of the Star-Chamber, from the incorporation of the Company in 1556, to the year 1640 when the Star-Chamber was abolished. This authority was enforced by summary process of search, confiscation, and imprisonment. The decrees of the Star-Chamber show that the judges of that Court

constantly admitted the proprietary rights of authors. However arbitrary its proceedings in other respects, its justice in this particular could not be impeached. It was indifferent in the sight of the government, whether the property of what it thought fit to tolerate as an innocent book, was public or private. If licensed and protected as property by the asserted prerogative of the Crown, it could only be in accordance with those principles of private justice, moral fitness, and public convenience, which, when applied to a new subject, make common law without any reference to precedents, and much more when received and approved by general and uninterrupted usage. This usage is again established by several ordinances of the republican Parliament, recognizing and protecting the author's property in his copy; and in the reign of Charles II, Acts of Parliament were passed, prohibiting any person from printing without the consent of the owners. In the same reign there occurred also several cases in the Courts, in which the author's ownership of the copy is uniformly treated as the settled common law; and in the trial of a controversy respecting 'Cooke's Reports,' Lord Hale and the whole Court of King's Bench sustained the author's right, even against the king's prerogative, to publish all law books. And in the case of *Miller v. Taylor*, it was found by the special verdict, 'That before the reign of her late Majesty Queen Anne, it was usual to purchase from authors the perpetual copyright of their books, and to assign the same from hand to hand for valuable consideration, and to make the same the subject of family settlements for the provision of wives and children.' It also appears by the same case, that the right thus recognized had been uniformly protected by injunctions issuing out of Chancery. This long and uninterrupted usage is conclusive evidence of the common law.

Thus stood the law until the reign of Queen Anne, when the booksellers applied to Parliament for more effectual protection against the piracies of unprincipled and irresponsible adventurers. In 1740 a bill for that purpose was accordingly brought into the House of Commons, entitled 'An Act to secure the property of authors.' In the Committee, its title was changed to that of 'An Act for the encouragement of learning, by vesting the copies of private books in the authors or purchasers of such copies, during the times therein mentioned.' The Act 8 Anne, cap. 49, was passed with this title, and declared that the author should have the sole right and liberty of printing &c. 'for the term of twenty-one years, and no longer;' with a contingent renewal for an equal term, if the author should be living at the end of the first.

In 1716, the celebrated case of *Miller v. Taylor*, respecting the copy of Thomson's Seasons, was determined in the Court of King's Bench. In that case, notwithstanding the title of the statutes of Anne, and the strong negative words contained in its enacting clause, three of the Judges of the Court, (of whom Lord Mansfield was one,) determined that an author's right was not derived from the Act of Parliament, but that he had, at common law, an original perpetual right of property in his work, and that the statute was only accumulative, and gave additional remedies for the infringement of the right. Mr. Justice Yates, to whose judgment there will be occasion again to advert, was of opinion that the right was created and limited by the statute, and had no existence at common law.

In 1774 the case of *Donaldson v. Becket* came on for hearing before the House of Lords upon an appeal from a decree in Chancery granting a perpetual injunction under the authority of *Miller v. Taylor*. Upon this appeal, certain questions were propounded to the Judges. Lord Mansfield declined giving his judgment upon these questions, it being very unusual, 'from reasons of delicacy,' as Sir James Burrow the reporter states, for a peer to support his own judgment upon appeal to the House of Lords. This statement necessarily implies, however, that he had not changed his opinion. Eleven Judges only, therefore, voted upon the question.

One of the questions propounded was, whether, at common law, an author of any book or literary composition, had the sole right of first printing and publishing the same for sale, and might bring an action against any person who printed, published, and sold the same without his consent.

To this question, ten Judges answered in the affirmative, and one in the negative.

Another question was, If the author had such right originally, did the law take it away upon his once printing and publishing such book or literary composition, and might any person afterwards reprint and sell, for his own benefit, such book or literary composition, against the will of the author?

Upon this question, seven Judges were in the negative, and four in the affirmative.

— The judgment upon these two questions settled the point that by the common law, the author of any literary work, and his assign, had the sole right of printing and publishing the same in perpetuity.

Another question propounded was, If an action would have lain at common law, is it taken away by the statute of Anne? And is an author, by the said statute, precluded from every

remedy, except on the foundation of the statute, and on the terms and conditions prescribed thereby?

To this question six Judges answered in the affirmative, and five in the negative. If Lord Mansfield had voted, and in conformity with his judgment in *Miller v. Taylor*, the twelve Judges would have been equally divided. Nor has the law been since considered as settled in conformity with the vote on this question, as the Court of Chancery has still constantly continued to grant injunctions to restrain printers from publishing the works of others, which practice can only be sustained on the ground that the penalties given by the statute are not the only legal remedy, and in the case of *Beckford v. Hood*, (7 Term report, 916,) it was adjudged that an author whose work is pirated before the expiration of the time limited in the statute, may maintain an action at law for damages against the offender. Lord Kenyon there says, that the statutes having vested the right in the author, the common law gives the remedy by action on the case for an infringement of it, and that the intention of the Act of Parliament in creating the penalties was to give an accumulative remedy. And Mr. Justice Grose observes, that by the decision of the House of Lords in *Donaldson v. Becket*, the common law right of action is not considered taken away by the statute of Anne, although it could not be exercised beyond the time limited by that statute.

Such was the state of the law in England as to literary property, at the time when the North-American States declared their independence. It is stated by Blackstone, and avowed by their own commentators and judges, that the Americans carried with them to the new world as their birth-right and inheritance, so much of the English common law as was applicable to their local situation and change of circumstances; and it is stated in the present publication, that the first provincial Congress assembled in America, in their declaration of the rights of the colonies, published in 1771, 'asserted that the respective colonies are entitled to the common law of England.' But the statute of Anne had never been adopted in any of the colonies, and previously to the American revolution literary property could not have become an object of sufficient importance to require any legislative protection. Nor could such protection have been effectually given by the discordant legislation of thirteen unconnected provinces. No sooner, however, had these provinces been confederated by a union, formed for their common defence and to regulate their mutual intercourse, than this interesting subject began to attract the attention of their statesmen and legislators. In 1783, the Congress resolved

on the motion of Mr. Madison, that it should be recommended to the several States of the confederation 'to pass laws to secure to the authors or publishers of any new books, and to their executors and assigns, the copyright of such books for a certain time;' thus treating the proprietary right of authors as a pre-existing right requiring additional security. Several of the American States accordingly passed laws for this purpose, which have been since merged in the more general legislation of Congress. Among these was an Act passed by the State of Massachusetts, 'for the purpose of securing to authors the exclusive right and benefit of publishing their literary productions for twenty-one years.' The preamble to this Act shows what were the views then entertained in America of the right of property in authorship.

'Whereas the improvement of knowledge, the progress of civilization, the public weal of the community, and the advancement of human happiness, greatly depend on the efforts of learned and ingenious persons in the various arts and sciences. As the principal encouragement such persons can have, to make great and beneficial exertions of this nature, must exist in the legal security of the fruits of their industry to themselves; and as such security is one of the natural rights of all men, there being no property more peculiarly a man's own, than that which is produced by the labour of his mind. Therefore, to encourage learned and ingenious persons to write useful books for the benefit of mankind,' be it enacted, &c.'

In the new federal Constitution established in 1788, Congress is expressly invested with power

— 'to promote the progress of science and useful arts, by securing for limited times to authors and inventors, the exclusive right to their respective writings and discoveries.

Mr. Madison in commenting upon this clause, says,

'The utility of this power will scarcely be questioned. The copyright of authors has been solemnly adjudged in Great Britain to be a right of common law. The right to useful inventions seems with equal reason to belong to the inventors. The public good fully coincides in both cases with the claims of individuals. The States cannot separately make provision for either of the cases, and most of them have anticipated this point by laws passed at the instance of Congress.'—*Federalist*, 43.

It is almost superfluous to observe, that although it is here said, that the right to useful inventions seems 'with equal reason' to belong to inventors as the copyright to authors, yet it is not pretended that the common law equally recognizes it. The contrary is necessarily implied when it is expressly

said, that the copyright has been adjudged to be a common law right, but the commentator is silent as to inventors' rights at common law.

After these repeated recognitions of the right of literary property at common law, both in England and America, it was strange to see the antiquated doctrine of Mr. Justice Yates in *Miller v. Taylor*, which was refuted at the time by the luminous intellect of a Mansfield, and has ever since been repudiated in Westminster Hall, revived in a court of justice on the other side of the Atlantic.

The lengthened and elaborate reasoning of Mr. Justice Yates, by which this doctrine is attempted to be sustained, contains two distinct propositions; the one founded upon the peculiar nature of the property in question, and the other on the supposed personal abandonment of the right by the act of publication. The first appears, as has been justly observed by one of the American Judges, Mr. Justice Thompson, to be too subtle and metaphysical to command the assent of any one, or to be adopted as the ground of deciding the question. 'The claim,' says Mr. Justice Yates, 'is to the ideas and style of the author's composition, and it is a well established maxim that nothing can be an object of property which has not a corporeal substance. The whole existence of ideas is in the mind alone. Incapable of any other mode of acquisition or enjoyment, than by mental possession or apprehension, safe and invulnerable from their own immateriality, no trespass can reach them, no law affect them, no fraud or violence diminish or damage them.' These and other similar arguments are used by Mr. Justice Yates to illustrate his singular view of the nature of copyright; and he seems to treat the question as if the claim was to a mere idea, not embodied or exhibited in any tangible form or shape. No such absurd pretension has ever been advanced by any advocate of the right to literary property. Lord Mansfield, in defining the nature of copyright, says, 'I use the word Copy in the technical sense in which that name or term has been used for ages, to signify an incorporeal right to the sole printing and publishing of something intellectual, communicated by letters.' This plain definition furnishes the answer to the whole of this branch of Mr. Justice Yates's argument.

His second objection, that the publication by the author is an abandonment of the exclusive right, seems to have been satisfactorily met by the American judge. Mr. Justice Yates states the general question to be,

— 'whether after a voluntary and general publication of an author's

works, by himself or by his authority, the author has a sole and perpetual property in that work, so as to give him a right to confine every subsequent publication to himself, or his assigns for ever?' In the judgment delivered by Mr. Justice Thompson, he says, 'The particular terms in which Mr. Justice Yates states his proposition, are worthy of notice. He puts the case of its being a general publication, the presuming of which undoubtedly is, that the publication is without any restriction expressed or implied, as to the use to be made of the books by the party into whose hands it might come, by purchase or otherwise. Unless such was the meaning, the proposition, I presume, no one will contend can be maintained. Suppose an express contract made with a party who shall purchase a book; that he shall not republish it. This surely would be binding upon him. So if a bookseller should give a like notice of the author's claim, and a purchase of a book be made without any express stipulation not to re-publish, the law would imply an assent to the condition. And any circumstances from which such an undertaking could be reasonably inferred, would lead to the same legal consequences. The nature of the property, and the general purposes for which it is published and sold, shew the use which is to be made of it. The usual and common object which a person has in view in the purchase of a book, is the instruction, information, or entertainment to be derived from it, and not the re-publication of the work. It is the use of it for these purposes which is implied in the sale and purchase. The use is in subordination to the antecedent and higher right of the author, and comes strictly within the maxim *sic utere tuo ut alienum non laedas*.—But the case is not left to rest on any implied notice of the author's claim, and the conditions on which he makes it public. This is contained on the title page of every book published, and cannot be presumed to escape the notice of the purchaser. It is there in terms announced, that the author claims the exclusive right of publication, and whoever purchases, therefore, does it with notice of such claim, and is bound to use it in subordination thereto. The purchaser of a book has the right to all the benefit resulting from the information or amusement he can derive from it; and if, in consequence thereof, he can write a book on the same subject, he has a right so to do. But this is a very different use of the property from the taking and publishing the very language and sentiments of the author,—which constitute the identity of his work. Mr. Justice Yates admits that so long as a literary composition is a manuscript, and remains under the sole dominion of the author, it is his exclusive property. It would seem therefore that the idea, when once reduced to writing, is susceptible of being identified, and becomes the subject of property.—'But property, without the right use of it, is empty sound,' says Mr. Justice Yates himself in *Miller v. Taylor*; and indeed it would seem to be a mere mockery for the law to recognise any thing as property, which the owner could not (unless interdicted by the principles of morality or public policy) safely and securely use for the purposes for which it was intended.'

Notwithstanding this reasoning, a majority of the judges.
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of the American Appellant Court proceeded to determine that the author had no right to his copy except under the positive provisions of written law, and that in order to entitle himself to the protection of a Court of Equity by injunction, he must shew by strict legal proof, that he had complied in all respects with the requisites of the Act of Congress. In the case in question, the author and his assigns had been in the exclusive use and enjoyment of the work published by him for the period of fourteen years, no other person claiming the use thereof; the practical publisher claiming on the ground of common right only, and alleging that the author had not complied with all the requisites of the statute. In such cases the Court of Chancery in the country uniformly granted an injunction without sending the party to try his right at law, upon the ground that such a long possession under colour of title, is a sufficient *prima facie* evidence of title to give him the protection of this equitable remedy. Where indeed the publication has been recent, or where there are conflicting claims of authorship, the plaintiff would not be allowed an injunction in a doubtful case of legal right. In such a case, he would be sent to a Court of Law to establish his legal right, or an issue be directed for that purpose, before an injunction was granted. But where an equitable title growing out of an undisturbed possession of some duration is shown, and the adverse party rests merely on his claim of common right, and does not pretend to be the original author of the work in question, or that the plaintiff has copied from the defendant's work, the Court of Chancery would exercise the same jurisdiction it possessed before the Statute of Anne, to protect by the appropriate equitable remedy the author's right at common law; the only effect of that Statute being to limit the right in point of time, and to require a compliance with its requisites in order to entitle the publisher to an action at law for damages, or for the penalties given by the Statute itself.

The American copyright code consists of three Acts of Congress, passed in the years 1790, 1802, and 1831, all of which, as their titles profess, were intended

‘—for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies during the times therein mentioned.’

By the Act of 1790, sec. 1, the exclusive right of publishing and vending any book is secured to the author and his assigns,

‘—for the term of fourteen years from the recording the title thereof in the clerk's office of the district court where the author resides.’

And if at the expiration of the said term the author be living, the exclusive right is continued for a further term of fourteen years. The 3d sec. provides,

‘That no person shall be entitled to the benefit of this Act, unless he shall, before publication, deposit a printed copy of the title of such book in the clerk’s office, &c. And such author or proprietor shall, within two months, cause a copy of the said record to be published in one or more of the newspapers printed in the United States, for the space of our weeks.’

The 4th sec. provides,

‘That the author or proprietor of any such book shall, within six months after the publishing thereof, deliver, or cause to be delivered, to the Secretary of State, a copy of the same, to be preserved in his office.’

The Act of 1831 enlarged the first term to twenty-eight years, and on the expiration of that period to a further term of fourteen years, if the author be still living, or if dead, shall have left a widow or children. It repeats the above recited provisions of the Act of 1790, with this variation as to the deposit of copies of books, that they are to be made with the clerk of the district court, to be by him transmitted to the Secretary of State, ‘to be preserved in his office.’

These Acts have been, with some variations, copied from the Statute of Anne, and the provision requiring the author to deliver certain copies of his book, is what is technically called ‘directory,’ and not a condition precedent or prerequisite to the vesting of the exclusive right. The object of the provision was not to warn others against infringing the author’s right, but to collect a library for the use of government at the expense of authors and publishers. This interpretation has been uniformly held in this country, where the onerous requisition of certain copies for the University libraries, though often complained of and resisted by publishers, has never been considered as in any manner affecting the author’s right to his copy. This construction is still more fairly applicable to the American laws, which are expressly declared to be designed to secure, and not to vest the right, as in the Statute of Anne, and which studiously omit the strong negative words of that Statute ‘and no longer.’

It was accordingly held to be the true interpretation in the American courts, until the passing of the Act of Congress of 1802, entitled ‘An Act supplementary to an Act entitled “An Act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned, and extending the benefit thereof to the arts of designing, engraving, and etching historical and other prints.”’

This Act, thus wedged in between the two Statutes of 1790 and 1831, was supposed to have changed, by legislative interpretation, the construction of the former Act of 1790. The first section of the Act of 1802 provides,

‘That every person who shall claim to be the author or proprietor of any maps, charts, book or books, and shall seek to obtain a copyright of the same agreeably to the rules prescribed by law, before he shall be entitled to the benefit of the Act entitled ‘an Act &c.’ (the Act of 1790) he shall, in addition to the requisites enjoined in the third and fourth sections of said Act, if a book or books, give information, by causing a copy of the record, which by said Act he is required to publish in one or more of the newspapers, to be inserted at full length in the title-page, or in the page immediately following the title, of every such book or books.’

The other sections apply the same provisions to the protection of prints and engravings, which in fact seems to have been the main object of the legislature. The British Statutes of 3 Geo. II. cap. 12, 7 Geo. III. cap. 38, and 17 Geo. III. cap. 57, contain a new provision, not embraced in the statute of Anne, requiring the date and name of the engraver to be printed on the engraving. This provision as to prints was copied in America, and at the same time extended to books; the Congress perceiving that this might be a convenient notice to accompany books also, although not required by the British statutes as to them. It was evidently a mere incidental thought which occurred to the framers of the American Act of 1802, in the course of their legislating for the main object of prints; and was not called for by any mischief as to books, sufficient notice of which had already been provided for by the former law.

Upon the question whether this provision changed the construction of the fourth section of the Act of 1790, requiring the delivery of the copies, and gave a new legislative interpretation to that section, so as to render by force of the words ‘in addition to the requisites enjoined,’ that which was before merely directory, a prerequisite to the security of the copyright, — the judges of the supreme federal court were equally divided in opinion, three of the judges holding the affirmative, and three the negative. But as four judges held, contrary to all previous English and American precedents, that under the original Act of 1790 itself the delivery of the copies was a prerequisite to the security of the copyright, the judgment of the court was finally pronounced, directing an issue at law to try the fact whether that condition had been performed. Looking to the general spirit and scope of these laws, — looking to the maxim that statutes *in pari materia* are to be construed as one code, with the qualification that erroneous legislative constitutions of former

laws will be disregarded by the courts,—and even looking merely to the plain and obvious meaning of the clause in question, this appears a very forced and unnatural interpretation of these laws, avowedly designed for the encouragement of learning by the appropriate means of securing to authors the exclusive right in the copy of their works for a limited time. A construction which would thus forfeit the fruits of a whole life of useful labour, for accidentally omitting to perform an act which was not intended as notice, when notice in all the other modes required by the law had been actually given, and the delinquent did not even pretend ignorance of the author's claim,—is certainly not recommended by any principle of equity or justice, and cannot be reconciled to the technical rules of law, at least as they are understood in this country.

While on this subject, it is impossible to help expressing the wish that some general international regulation could be established, for the mutual protection of the literary property of authors in different countries. As the law now stands, the works of an American author are protected in this country, while the works of a British author are not protected in America. The consequence is, that all the productions of eminent British writers are reprinted in the United States, as soon as they leave the press here, without any indemnity for the copy-right; the Act of Congress confining the privilege to citizens, while the Act of Parliament makes no distinction in favour of British subjects. There may be difficulties in the way of a general and satisfactory arrangement of this matter; but they would not be found insurmountable, if the question were taken up in a spirit of fairness and mutual justice.

ART. XI.—*Goethe and his Contemporaries; from the German of Falk, Von Müller, &c. With Biographical Notices, and Original Anecdotes, illustrative of German Literature.* By Sarah Austin. Second Edition, 3 vols.—London. Effingham Wilson. 1836.

GOETHE has long been designated by common consent as 'an extraordinary man;' but to be extraordinary is not always to be great, since eccentricity, extravagance, and many secondary qualifications, will often excite wonder, which is by no means synonymous with lasting worth. It may be found, however, on examination, that Goethe is a great as well as an extraordinary man. Those who are desirous of estimating his original and no less versatile genius, will act wisely in giving a careful reading to the present work. They cannot arrive at the required knowledge, combined also with a general view of the contemporaneous authors and the peculiar genius of German

literature, half so soon, or in some respects so accurately, by any other means. Mrs. Austin has already enriched the literature of her country with several valuable translations, and the work now under consideration may claim, and eventually obtain, a place in every select library, properly so called.

The preface to these volumes, by Mrs. Austin, contains some important matter. In alluding to the Grand Duke Karl-August of Sachsen-Weimar and his family, she says,—

‘One thing, however, is to be gathered from this portion of the work, that genius, learning, and liberal thought have a far other field, and a very different hold over the hearts and minds of men in all ranks in Germany, than here;—that the employment of such men as Goethe, Herder, the Humbolds, Niebuhr, Arnclion, and many others distinguished in art, philosophy, and letters, as active functionaries of the state, is one of the tributes which the Governments of the enlightened part of Germany pay to merit, and is completely in harmony with the tone of public opinion.’—Preface, p. viii.

This truth needs no comment, but frequent repetition. The pity is, that it should be true, and need it.

The translator excuses herself for not having wrought the various materials into a regular biographical work, according to the suggestion of an accomplished German scholar; and reasons both modestly and justly that ‘the incompleteness, the repetitions, and the disjointedness of this work, are more than atoned for by the perfect authenticity and individuality of each part.’ She next proceeds to a brief examination, or rather defence, of the political neutrality which Goethe so obstinately preserved.

‘Maxims of the most profound, earnest, and enlarged humanity; benign indulgence for frailty; schemes and hopes of improvement: exhortations to labour for the good of mankind, are thickly scattered through his works: are we then justified in accusing him of apathy and selfishness because he had a dread of violent political convulsions; a distrust of the efficacy of abrupt changes in the mechanism of government?’

‘It was not, surely, that he was indifferent to the welfare of mankind, but that he thought it a pernicious illusion to look for healing to sources whence he was persuaded healing could never come.’—Preface, p. xxi.

The misfortune was, that he did not appear to be persuaded the healing could come from *any* source. It may possibly be true that there are elements in tyranny and pompous power, which will always impose on the imagination, and render mankind liable, whatever freedom they may temporarily obtain, to become again enslaved; but it is a bad theory to act upon,

or rather it is one which tends to supersede all action for progressive good, and destroy practical energy by neutralizing hope.

'It is, however, unreasonable to expect the same earnestness and vehemence in support of any cause or system from a man who sees it with all its limitations and possible attendant evils, as from one who can perceive nothing but its advantages. The same clear, serene, far-reaching glance which enabled him to discern "the soul of goodness in things evil," and thence inclined him to tolerance and indulgence, revealed to him the evil that lurks amid the greatest apparent good, and thus moderated his expectations and tempered his zeal.'—Preface, p. xxii.

In short he would not move with the movement; he would take no prominent and practical position in either aiding or retarding it. He expected no good would accrue from it, and his 'zeal' was equal to his expectations. Those who will make no definite effort for humanity, merely because they descry some evil lurking amidst the 'greatest apparent good,' are generally incapable of such efforts; and reason, which 'panders will,' panders also to the imbecility of will, for certainly no great good ever yet existed without some evil. It will frequently be necessary to offer some remarks on Goethe's philosophy in politics; but the consideration of his genius will always be a far more interesting duty.

Goethe was distinguished, and was proud of such distinction, by the title of 'the Artist.'—

'He regarded Art not as the minister to the senses, or the imagination, or the fancy; not on the other hand, as the mere mask or gilding wherewith to cover the awful and repulsive countenance of morals or of science, and accommodate them to human weakness or indolence; but as essentially, and in and for itself, moral, humanizing, beneficent—the expositor of the Beautiful and the Good. In his view of the matter, therefore, there could be no more vulgar mistake than that confusion of the province of ethics and aesthetics which reigns here.'—Preface, p. xxiv.

This is true; and to such an extent is the vulgarity carried, that even a low comic song generally winds up with a 'moral.' In the following extracts the translator boldly states her opinion. Madame de Stael has expressed herself much to the same purpose in the second volume of her '*Allemagne*.'

'On the one hand there has sprung up an impatience of all purely didactic works. It seems to be generally admitted that nobody now reads the great teachers of philosophy or morals. On the other, as people are unwilling to relinquish the appearance of learning, they require of writers of fiction to weave into their works such shreds of information as may suffice to keep up the agreeable illusion of the

acquisition of knowledge. Children are trained in this confusion of ideas. Labour, the high duty and condition of life, and Art, its purifier, consoler, and charm, are both debased; the one is regarded as an enemy to be eluded; the other, as useless, trifling, if not pernicious, in itself, but conveniently lending itself to the cheat. It is true that a work of Art may be made to inculcate a *moral* (as it is vulgarly called), or to teach a scientific truth—just as the Apollo Belvedere might serve as a tailor's block—but are these aims of Art?—Preface, p. xxiv.

Mrs. Austin is 'aware that nothing can be more unfashionable than this view of the subject,' and that it is by no means orthodox at present 'to doubt whether anything great, either didactic or æsthetic, will be produced under this system;' but she justly explains that it is the *moral tendency*, the general principle inculcated, that is the real object of the higher works of Art.

'If it be said that this view of Art implies indifference to the moral tone and tendency of a work, it can only be replied, that such an objection implies a belief that moral truth and beauty may be violated without injury to æsthetical perfection;—a mistake into which no true Artist could fall.'—Preface, p. xxv.

The writer next proceeds to the question of Goethe's frequent obscurity of meaning, or unintelligibility as some consider it, and confesses that she has 'never yet met with a German who affected to understand Goethe throughout.' It may be presumed from this that no foreigner can pretend to do so. She admits it is possible that 'the mysterious, the Sibylline, the incoherent' in his writings, has no meaning—but it seems unlikely. This may be granted; nor is it improbable that the peculiarly speculative and dream-building mind of Goethe, had adopted a theory on this subject, and by way of rendering certain things universal which would otherwise be limited, should so construct the form or expression, that it would suit any meaning the reader might wish to fancy, preserving unity only as to its general tendency and purpose. The consequences of such a theory are liable to be very perplexing, especially to certain close reasoners who are determined to understand exactly what a man really does mean if possible.

A paragraph is quoted from Coleridge (who continually indulged in 'high Germanism,' and became sometimes as enigmatical in 'familiar conversation' as Kant and Goethe combined), with reference to his inability to understand passages in Plato, in which words are used 'with such half-meaning to himself, as must perforce pass into no-meaning to his readers.' It is amusing to find one 'adept' thus foiled by another. The last sentence is characteristic, not of the true genius of Coleridge, but of its eccentricity. Therefore,

says he, 'utterly baffled in all my attempts to understand the ignorance of Plato, I conclude myself ignorant of his understanding.' A curious quibble,—Coleridge's thus cutting off his understanding to spite his ignorance.

Mrs. Austin enters into the philosophy of translation in an able manner.—

'Where the form and colour of an author is important, a translation which so far obliterates them as to "substitute the dress of diction the author would have used had his language been English," is, to my way of thinking, a failure. And for this reason I never could prevail on myself to read Pope's Homer. Before I have read ten lines I feel that it is a cheat, and I find it impossible to take the least interest in a work in which the very peculiarities I want to know are effaced, and replaced by others. The truth is, that I want to know not only *what*, but *how* Homer wrote. A nation that demands of its translators that they give its own *tourneur* to all works of foreign growth, will have bad translations—flat, colourless, or repulsively incongruous.'

'The praise, that a translated work might be taken for an original, is acceptable to the translator only when the original is a work in which form is unimportant.'—Preface, p. xxxv.

Mrs. Austin is aware that her remarks on translations will be considered as 'a mere *plaidoyer* in favour of the Germanisms with which she has made bold to affright English readers.' She confesses this, and 'does not wish to be thought unconscious of them,' still less so presumptuously careless 'as to suffer them to stand without apology.'

The character of Goethe is a study. To acquire a just conception of it, no ordinary degree of reflection is required. It must be viewed, like that of Napoleon, from different points, and on every side. Mrs. Austin has therefore acted wisely in presenting such varied materials, on which to base an ultimate judgment. A regular biographical account could hardly be trusted, and a formal summing up of his qualities would be equally unsatisfactory. A coloured map of his 'rounding mind' would only be 'flat, stale and unprofitable,' and he is a thoroughly unmanageable subject for the exhausted receiver. He must be studied, as the nature he loved so well, is studied;—in his spontaneous manifestations. It is not absolutely necessary to have the mind set perfectly at rest about him; and he may be reserved as a subject of contemplation, either in the belief that a clear, steady, and entire comprehension may be eventually obtained, or as an exercise of the intellect on the peculiarities of human character. A few hints however towards an opening up of the question, will be attempted in the course of this article.

'Goethe portrayed from familiar Personal Intercourse,' by

Johann Falk, is the first memoir in the present collection. Falk, the child of poverty and adversity, the practical philanthropist and poet, had quite sufficient power of appreciation and comprehension of his subject, to enable him to give an interesting picture; while so many points of dissimilarity exist between him and Goethe, that his account never degenerates into turgid panegyric, and not unfrequently takes the character of speculation. There are occasions in which he seems involved in some degree of error; to rectify which, a reference must be made to the works of Goethe himself, or to the memoirs by Muller and others.

A striking peculiarity in Goethe, which may be considered as one manifestation of an essential part of his mind and character, is thus related by Falk.—

‘It has often been remarked, that great and eminent men receive from their mothers, even before they see the light, half the mental dispositions and other peculiarities of character by which they are afterwards distinguished.’

‘Thus in Goethe’s character we find a most sensitive shrinking from all intense impressions; which by every means, and under every circumstance of his life, he sought to ward off from himself. We find the same peculiarity in his mother, as yet shall see from the following curious and characteristic traits. They were related to me by a female friend who was extremely intimate with her in Frankfort.’

‘Goethe’s mother, whenever she hired a servant, used to make the following condition: “You are not to tell me of anything horrible, afflicting, or agitating, whether it happened in my own house, in the town, or in the neighbourhood. I desire, once for all, that I may have nothing of the kind. If it concerns me, I shall know it soon enough; if it does not concern me, I have nothing whatever to do with it. Even if there should be a fire in the street in which I live, I am not to know of it till it is absolutely necessary that I should.”—i 2.

That is to say, ‘Let me know nothing about the sufferings or danger of others, till the cause approaches myself; I will *then* take some decided steps in the matter, and move out of harm’s way.’ Surely this is a very selfish principle.

Here then, at the outset, an inquirer may find the main secret, the central problem of Goethe’s character, particularly with reference to action and immobility, clearly stated if not solved. Not only does this offer a key to the cause of his long-sighted precautions, or resolute stand against being either impressed or seduced into political movements, and his confirmed indisposition to engage himself voluntarily in such contests; but it also elucidates his ‘many-sidedness,’ (*vielseitigkeit*), or the faculty he possessed of dramatizing himself into as many characters as the multifarious subjects, general principles,

and particular classes, which are embodied, shadowed forth, idealized, and enigmatized throughout his writings, might require.

Amidst the various classes of nature's anomalies, there is not perhaps any class which contains fewer individuals, than that of the acutely sensitive who nevertheless shrink from all intense impressions. It is ordinarily found that the sensitive seek continual food for their peculiar sensations; they yearn towards the excitement, even as the moth towards the consuming flame. They are leaves that tremble with every wind, yet to whom a calm is desolation. Being thus sensitive, to long for utter repose; to feel, perhaps think, like the moth, yet fly from the flame;—this is the anomaly. It is the converse of the principle by which genius usually develops and indulges its finest faculties of sensation and thought. He who is possessed of noble or ignoble passions, naturally seeks the corresponding objects with ardour. He, for instance, who is capable of deep love, seeks to find and enjoy the corresponding object at all hazards; and if he find misery and disappointment instead, he is not disposed to retreat, but the contrary. It is the same with the other passions, such desperate gamesters are they all. But to be constituted with a great capacity for experiencing any justifiable passion (and every intense impression is a passion), and sedulously to shun all the objects with which it has the utmost affinity, is to be quite unlike the rest of the world. It is a contradiction in qualities, but a truth in nature. To demonstrate the cause may not be very easy, as far as a comprehensive theory is concerned; and the individual application may be still less satisfactory. An opinion might be ventured, notwithstanding, that in almost all cases this peculiarity will be found to result from an undue or excessive action and re-action of imagination and nervous sensibility upon each other, so as generally to disperse and often destroy in the embryo, all concentrated energies and determined continuity of definite, practical, and impassioned purpose; in which dispersion or destruction may be included a deficiency of physical courage, or of that heroism which strong will commonly displays in its love of excitement and of actual danger. The great majority of Goethe's works, if closely analyzed, are signal instances of this deficiency throughout. Even the *Faust* will not prove an exception, when looked at as a whole. A memoir by Dumont at the commencement of the third volume expressly states, that Goethe 'drew his principal inspirations from the history of his own life.' *Faust* first appeared in 1790, but was completed a few weeks only before the author's death, who had

been unable, till then, to make up his mind during his prolonged life, to terminate this most disjointed, wild-wandering story. Goethe often supplies the want of a clear and consistent determination by a peculiar perversity. It is probable that he inherited this from his father, concerning whose eccentricity there is Mr. Carlyle's authority, that 'he actually built his house from the top downwards.' Men of determined singleness of purpose, who devoted themselves to a lofty aim, and hurried into the thick of the world's warfare to promote it, Goethe could not rightly estimate. He did not like this disposition in Schiller, much as he loved the man; and could not endure it in Herder. Falk says, that 'such characters as Luther and Coriolanus excited in him a sort of uncomfortable feeling, which could be satisfactorily explained only on the hypothesis that their natures stood in a mysterious sort of opposition with his.'

One question, however, rises out of the previous investigation, on which a few words should be offered. To shrink from intense impressions assumes the capacity of experiencing them. But the existence of such capacity cannot be granted without one qualification; namely that a 'sensitive shrinking' from such impressions, argues an incapacity, or at least an indisposition, to *sustain* them. The proposition also supposes, either that they have been previously experienced, or that the individual has an instinctive consciousness and preconception of them, and that in either case the imagination is endowed with a sensitive prescience, and communicates a warning of their approach. Whether from incapacity or indisposition, intuitive preconception or actual experience, it appears that Goethe, in mature life, constantly acted on a philosophical conviction, to which all who have felt and thought deeply, sooner or later arrive;—that it is always dangerous, and generally ruinous, to health of body and mind, to take anything too much to heart. This is not a very disinterested theory to end with. But it is a truth. Nor does the fact that some individuals continue as far as is permitted by the laws of nature, to act disinterestedly in spite of their experience and convictions, alter the conclusion.

But as if to confute all formal systems and pragmatistical rules of judging, a few pages develope more traits in the character of Goethe's mother, which claim an immediate love, and exhibit her as one of the most interesting persons imaginable. And in these traits also, her son exactly resembled her. Was it not truly said then, that the character of Goethe is a study?

Amidst the numerous infirmities of advanced age, Goethe's

mother, in a conversation with a friend, repeats a soliloquy she had recently uttered in her distress.—

‘Thank God, I am once more contented with myself, and can endure myself now for a few weeks to come. Lately I have been quite intolerable, and have turned against God Almighty like a little child who knows not what he would have.’

‘Yesterday, however, I could not bear myself any longer, and I scolded myself heartily, and said, “Shame on thee, old *Rathin* (Counsellor), thou hast had happy days enough in the world, and thy Wolfgang to boot; and now, when the evil days come, thou must e’en take it kindly, and not make these wry faces. What dost thou mean by being so impatient and naughty when it pleases God to lay thy cross upon thee? What then, thou wantest to walk on roses for ever? now, when thou art past the time too—past seventy!” Thus, you see, I talked to myself, and directly after my heart was lighter and all went better, because I myself was not so naughty and disagreeable.’

‘Those who were at all acquainted with Goethe’s person and manners will instantly agree with me, that much of this amiable temper, and of this vein of *naïf* humour, which nothing in life or death could subdue, flowed in full tide from her veins into his. We shall give further proofs of this hereafter, from the history of his earlier years; as well as of his more serious moods, from the later.’—i. 7.

Goethe was pre-eminently characterized by what the Germans call *objectivity*. This term, conveys to them the idea of ‘a power or habit of employing the senses and intellect on external objects, and is opposed to *subjectivity*, by which they mean the power or habit of employing the mind on its own internal operations, that is, on itself.’ Objectivity thus understood, is essential to ‘many-sidedness,’—a quality which it is evident he possessed to a wonderful degree.

‘It is doubtless an entirely peculiar privilege of his genius, that he had the power of absolutely and sensibly losing himself in the object, whatever it was, to which, at any particular point of time, his attention was directed; whether it were man, beast, bird, or plant: nay, that he, to a certain extent, transformed himself in imagination into the very thing itself.’

‘It cannot be denied that Goethe’s greatness, as observer of nature and as poet; his style, his mode of thinking, his power of depicting objects, his originality; I might almost say the whole weakness, as well as the whole strength, of his moral and intellectual being, must be sought in this objective turn of mind.’

‘How often have I heard him, when he wanted to give himself up to an investigation of this kind, earnestly entreat his friends not to disturb him with the thoughts of others upon the subject; alleging that it was a rigid invariable maxim with him, when in such moods, to keep aloof all external influences. It was not till he had exhausted his own powers on the matter; had as it were, confronted it, and spoken with

it alone, that he would go into the representations or views of others: then, it delighted him to know what others, long before him, had thought, done, or written, on the same subject. He then, with great honesty and candour, corrected his mistakes in this or that particular; while, on the other hand, he was filled with a child-like delight when he saw that, by his unaided, original efforts, he had gained here and there a new view of the phenomenon.'—i. 13.

This is no more than might be expected of a highly original thinker. With this 'objective' character of mind, however, almost all the peculiarities of his moral and intellectual being are closely involved. Universality of interest, were there no other causes in the nature of the individual, has a necessary tendency to prevent or disperse intense personal impressions. This may in a great measure be applied to Shakspeare. Accustomed as Goethe was, to submit to rigorous examination everything that came within his circuitous vision in the universe of mind and matter,—accustomed to view things on all sides,—to look at the whole of nature,—it is not surprising that he became an observer rather than an actor. Incessant contemplation of the mixture of good and evil,—the working out of good by means of evil,—the violence and the inconsistency, or inconsistency, of the most influential actors in the shifting scenes of the world, and yet the evident progression of the grand scheme of things so clearly seen by a philosophical mind,—can scarcely ever fail to merge action in thought, and practical skill in an interminable measurement of consequences. This principle therefore, when carried to extremes, has a tendency to annihilate the activity of man as a moral agent. But nature is wiser than all our generations; and the principle is a good one for the world seeing there is not the slightest chance of its being abused by coming into general operation among men.

'A mind like that of Goethe, in which a calm observation of all things was an innate and characteristic quality, could by no possibility fall into that moral enthusiasm which the age excited, and which it was too much inclined to consider as the highest possible prerogative of human nature. Goethe was born to identify himself with things; not things with himself. From the moment in which the public enters the lists with passion against real or supposed evil, it cares little to examine the good sides which this very evil, if considered with perfect calmness, might present to the eye of the observer.'—i. 16.

This is because the public, being a suffering as well as acting body, feels the utmost anxiety to better its condition, and cannot see the possible or probable 'good sides' of evil, through the present operation of that system under which nature is

writhing. Goethe appears to have been by nature, a man of capacious intellect, as opposed to one of strong passions. He had neither the will nor the inclination to act upon impassioned principles. His head was stronger than his heart, and commanded it with ease. Moreover, from his youth he was placed in circumstances which left him little or nothing to desire as to personal interest, and removed him at once above the arduous, painful, and even precarious struggle with the world on his own account. He was not backward in desire to promote the good he saw distinctly before him; but the enthusiasm which impels the patriot, the philanthropist, and the martyr, to rush into the strife, and peril themselves in the cause, formed no part of his feelings and character. He preferred to stand serene and alone.

‘Thus was Goethe placed, even by the highest and noblest peculiarity of his nature, in direct opposition with his age. Goethe wanted to observe—his age wanted to act, and to seize upon every occasion, however slight, which presented itself as a possible reason for action. It was this which once led him to say to me, “Religion and politics are a troubled element for Art; I have always kept myself aloof from them as much as possible.” There was but one party for which, with such views, he could declare himself: that, namely, under whose influence tranquillity might be expected, or even hoped for, let it be found how it might.’

‘But it happened that religion and politics, church and state, were exactly the cardinal points within which the age in which he lived was destined to be remodelled. All science, and all action, were irresistibly determined by the spirit of the age to this centre. A way was forced through the most intricate questions; and the Many, with their dark and confused notions of their own conditions and interests, shared the universal tendency, without any distinct conception of what was passing, or of its operation on themselves.’

‘The clear-sighted Goethe had a thorough insight into this; and thence indeed it was, that every thing of the kind became so extremely distasteful to him; and that in society he would rather talk of one of Boccaccio’s tales, than of matters on which the welfare of Europe was thought to depend.’—i. 17.

It can therefore excite no surprise that the world should be angry at the calm neutrality which Goethe so resolutely maintained. Under all circumstances he remained as unmoved as if the present and future had been the past. This is greatness in intellect, rather than greatness in humanity.

‘Goethe, too, plied his wings, and was as industrious as a bee; but his activity was the pure activity of the artist*; consequently of a totally

* ‘I do not think it necessary to deprive myself of the use of this high and comprehensive epithet, because it happens to be vulgarised and re-

different kind from the bustling activity of the man who struggles in and with the world. The domain of Science, such as it had been extending itself through ages; the kingdoms of Nature and of Art, whether in their earliest rise or their gradual development;—these were the regions which he traversed with unwearied wing; and whatever treasures he collected during his long excursive flights, were brought home and shared with his friends whom he thus enriched and delighted.—i. 21.

Falk considers, and justly, that the following opinion expressed by Goethe concerning Meyer, the painter and critic, might be applied with still greater force to himself.

‘All of us,’ said he, ‘without exception,—Wieland, Herder, Schiller,—have suffered ourselves to be duped by the world on one point or another; and for that very reason, if we could return to it hereafter, it would, at least, not give us a bad reception.’

‘But in Meyer, long as I have known him, I never could discover anything of the kind. He is so clear-headed, and on all points, on all occasions, has so calm and perfect an apprehension; he sees what he sees so through and through, so without all mixture of passion, or of the troubled spirit of party, that the reverse of the cards which nature plays with us here below cannot possibly be hidden from him. But for that very reason the return of his spirit to this scene is out of the question; for nature does not like that we should look, uninvited, so far into her game; and when from time to time a man arises who catches one of her secrets, ten others immediately start up, who industriously conceal it again.’—i. 26.

All this is vexatiously true, and the peculiar style in which it is conveyed, is highly characteristic of Goethe’s singularly felicitous power of combining the playful in expression with the profound in meaning. But the following proposition of Falk is rather startling.—

‘Goethe, by his very nature, cannot, must not, will not, set a single step which may compel him to quit the territory of experience, on which he has so firmly and so happily planted his foot, and taken root for more than half a century.’—i. 27.

The symbolic forms, at all events, under which Goethe chose to convey, and as frequently to hide, his opinions of realities, are at singular variance with this.

After again astonishing the reader by telling him that Goethe ‘shunned the blue horizon’ which is beyond actual ‘experience,’ knowing, as he did, that it ‘is the abode of all brain-woven fantasies,’ Falk proceeds more satisfactorily.—

stricted in England, or made ridiculous in France. English readers must try to understand it in the large and refined sense in which alone it can apply to Goethe.’—*Transl.*

'Even virtue, laboriously and painfully acquired, was distasteful to him. I might almost affirm, that a faulty but vigorous character, if it had any native qualities as its basis, was regarded by him with more indulgence and respect than one which at no moment of its existence is genuine; which is incessantly under the most unamiable constraint, and consequently imposes a painful constraint on others. "Oh," said he, sighing, on such occasions, "if they had but the heart to commit some absurdity! That would be something,—and they would at least be restored to their own natural soil, free from all hypocrisy and acting. Wherever that is the case, one may entertain the cheering hope that something will spring from the germ of good which nature implants in every individual; but on the ground they are now upon, nothing can grow."—i. 28.

There is both head and heart in the preceding extract, however unconventional the propositions it contains. The memorialist proceeds to the end of the second chapter, in a similar strain, and enters on various profound subjects which cannot here be discussed. With reference, however, to Goethe's objection to all speculations concerning mind, matter, God, immortality, and other questions of similar kind, it might be assumed that having a clearer comprehension of them than most men, he knew proportionately better that he could not understand them. But what is the meaning of the word experience, if it can be said with truth that Goethe exclusively confined himself to it; he, who indulged in speculations and abstractions without end? The highly interesting record of the evening of Wieland's funeral, is a corroboration of these remarks on both points. Falk asks Goethe if he would not assign a place for Wieland's soul near Cicero; and the dialogue is thus continued by Goethe.—

"Don't interrupt me, when I am trying to give to the course of my ideas a perfect and calm development. *The destruction of such high powers of soul is a thing that never, and under no circumstances, can even come into question.* Nature is not such a prodigal spendthrift of her capital. Wieland's soul is one of Nature's treasures; a perfect jewel. What adds to this is, that his long life had increased, not diminished, these noble intellectual endowments. Again, I entreat you, think attentively on this circumstance. Raphael was scarcely thirty, Kepler scarcely forty, when they suddenly terminated their respective lives, while Wieland—

"How," interrupted I with some surprise, "do you speak of dying as if it were a spontaneous act?"

"That I often allow myself to do," replied he; "and if you are pleased to consider it under a different aspect, I will (since at this moment I may be permitted to do so) tell you my thoughts on the subject from the very bottom."

'I begged him most earnestly not to withhold any of his opinions from me.'

"You have long known," resumed he, "that ideas which are without a firm foundation in the sensible world, whatever be their value in other respects, bring with them no conviction to me; for that, in what concerns the operations of nature, I want to *know*, not merely to conjecture or to believe. With regard to the individual existence of the soul after death, my course has been as follows:—"

"This hypothesis stands in no sort of contradiction with the observations of many years, which I have made on the constitution of our species, and of all other existences; on the contrary they furnish fresh evidence in its support."

"But how much, or how little, of this individual existence is worthy to endure is another question, and a point we must leave to the Deity. At present I will only make this preliminary remark. I assume various classes and orders of the primary elements of all existence, as the germs of all phenomena in nature; these I would call souls, since from them proceeds the animation or vivification of the whole. Or rather *monades*:—Let us always stick to that Leibnitzian term; a better can scarcely be found, to express the simplicity of the simplest existence. Now, as experience shows us, some of these monades or germs are so small, so insignificant, that they are, at the highest, adapted only to a subordinate use and being. Others again, are strong and powerful. These latter, accordingly, draw into their sphere all that approaches them, and transmute it into something belonging to themselves; *i. e.* into a human body, into a plant, an animal, or, to go higher still, into a star. This process they continue till the small or larger world, whose completion lies predestined in them, at length comes bodily into light. Such alone are, I think, properly to be called *souls*. Hence it follows, that there are monades of worlds, souls of worlds; as well as monades of ants and souls of ants; and that both are, if not of identical, of cognate origin."—i. 68.

After thus mixing the ardent desire to 'know,' with 'hypothesis' and with 'assumptions' hardly admissible in a professed realist, Goethe thus proceeds with his truly wonderful experience.—

"Every sun, every planet, bears within itself the germ of a higher fulfilment, in virtue of which its development is as regular, and must take place according to the same laws, as the development of a rose-tree, by means of leaf, stalk, and flower. You may call the germ an idea, or a monad, as you please; I have no objection. Enough that it is invisible, and antecedent to the visible external development. We must not be misled by the *larva* or imperfect forms of the intermediate states which this idea or germ may assume in its transitions. One and the same metamorphosis, or capacity of transformation in nature, produces a rose out of a leaf, a caterpillar out of an egg, and again a butterfly out of the caterpillar."

"The inferior monades, too, belong to a superior because they must, not because it particularly conduces to their pleasure. This takes place in general naturally enough. Let us observe this hand, for instance.

It contains parts which are every moment at the service of that chief monas, which had the power, at their first rise into being, to attach them to itself. By means of them I can play this or that piece of music; I can make my fingers fly as I will over the keys of the piano-forte. They certainly thus procure me a delightful intellectual pleasure; but they are deaf; it is the chief monas alone that hears. I may therefore assume that my hand, or my fingers, are little, or not at all, interested in my playing. The exercise of monades, by means of which I procure for myself an enjoyment, is very little for the good of my subjects; unless, perhaps, that it tires them."

"How much better off they would be as to sensual enjoyment, could they, instead of idly roaming over the keys of my piano, fly about the meadows like busy bees, perch in a tree, or revel among its blossoms; and doubtless the materials for all this exist in them. The moment of death, which is thence most appropriately called *dissolution*, is that in which the chief or ruling monas dismisses all those subordinate monades which have hitherto been faithful vassals in her service. I therefore regard the quitting life, as well as the rising into it, as a spontaneous act of this chief monas; which, from its very constitution, is utterly unknown to us."

"All monades are by nature so indestructible that even in the moment of dissolution they do not lose or abate anything of their activity, but continue their progress uninterruptedly. They quit their old connections only to enter into new ones at the same instant. At the change, all depends upon the degree of strength of the germ of fulfilment contained in this or that monas. Whether the Monas be that of a cultivated human soul, of a beaver, of a bird, or of a fish, makes an immense difference. And here, as soon as we desire to explain to ourselves in any degree the phenomena of nature, we come to the class or order of the souls which we are compelled to assume."—i. 72.

Goethe here quotes an illustration from Swedenborg, which is certainly in the 'peculiar manner' of both; and then proceeds with his hypothetical experience.

"Here we have the full and true history of our monades, and of their departure from this earth. Each monas goes to the place whither it belongs; into the water, into the air, into the fire, into the stars; nay, the mysterious attraction which draws it thither, involves at the same time the secret of its future destination."

"Annihilation is utterly out of the question; but the possibility of being caught on the way by some more powerful, and yet baser monas, and subordinated to it,—this is unquestionably a very serious consideration; and I, for my part, have never been able entirely to divest myself of the fear of it, in the way of a mere observation of nature."

'At this moment, a dog was heard repeatedly barking in the street. Goethe, who had a natural antipathy to dogs, sprang hastily to the window, and called out to it, "Take what form you will, vile larva, you shall not subjugate me!" A most strange and astounding address

to any one unacquainted with the trains of Goethe's thoughts; but to those familiar with them, a burst of humour singularly well-timed and appropriate.'—i. 76.

That it was 'singularly well-timed and appropriate,' may be granted, without denying that Pythagoras and Plato would have listened to the speculations with far more serious attention than the philosophers of modern times are likely to accord. At the same time, amidst all the scepticism, indifference, or ridicule, with which these and similar hypotheses will be met, it should not be forgotten that the greatest discoveries that have been made in every science, had their primary origin in dreamings, imaginings. Even in what appears a discovery by chance, had there been no previous ideas in the mind corresponding with it, nobody would have discovered what nature revealed.

Returning to Falk's assertion, that Goethe avoided speculations on God, time, fate and the like, more might be said in proof of the contrary. Here are Falk's own words, after a conversation with him on the certainly very fertile subject of what we do not know about God, the brain, faith, and knowledge.

'It is then true, and even so extraordinary a genius as Goethe himself was constrained to make the humiliating admission, that all our knowledge on the planet we inhabit is mere botch-work! All our sensible perceptions, in all the kingdoms of nature, though conducted with the profoundest acuteness and the utmost deliberation, can as little enable us to form a perfect idea of God and of the universe, as the fish in the abysses of the deep (even supposing him endowed with reason) could emancipate himself from the influence of his conceptions, formed in that region of fims and scales of which he is an inhabitant; or, in his nether element, create to himself a complete and accurate picture of the human form.'—i. 77.

Allusion might also be made to the sublime lines in vol. ii. p. 198, "Was war 'em Gott" &c.; to the poem of Prometheus, especially the fearful stanza commencing with "Ich dich ehren? Wofür?" and to Faust's answer to Margaret, translated at page 266 among the notes to the first volume.—

'Wer darf Ihn nennen?
Und wer bekennen:
Ich glaub' Ihn.
Wer empfinden
Und sich unterwinden
Zu sagen: Ich glaub' Ihn nicht?
Der Allumfasser,
Der Allerhalter,
Fasst und erhält er nicht
Dich, mich, sich selbst?'—i. 265.

Thus rendered by Mrs. Austin :

' Who can name Him ?
And who declare
I believe in Him ?
Who can feel,
And dare affirm
I believe in Him not ?
The All-encompassing,
The All-sustaining,
Encompasses, sustains he not
Thee, me, Himself ?'—i. 265.

Mrs. Austin's translation of the above is so superior to those of Madame de Staël and Lord Leveson Gower, that the latter become almost ridiculous in the comparison.

Goethe devoted much of his time to scientific pursuits, as a relief to his mind, and, as he says, 'to lighten his heart.' A summary of his studies from the year 1790 to 1821, is given in one of the notes, extracted from his '*Tag-und-Jahres Hefte*,' a kind of literary journal. These investigations were chiefly connected with botany, light, colour, and vision. He differed from Newton on the theory of colours; and in fact the more recent discoveries and arguments of Professor Airey, Arago, Dr. Young, Fresnel, and Brewster do the same. But the theory formed by Goethe has been declared very vulnerable on many points, as might have been expected; though it contains much that is ingenious, and the account of experiments he made is very interesting. Of the sum total of knowledge that has been gained by scientific studies, he does not appear to have a very exalted opinion.

"If I were to write down the sum of all that is worth knowing in the various sciences with which I have employed myself throughout my life, the manuscript would be so small that you might carry it home in your pocket in the cover of a letter."—i. 40.

His opinion of how much the world has to boast of 'the progress' of science, is clearly stated in the following amusing and characteristic 'conjunction' of the presence of the father of science, Friar Bacon.

"If, on this very day, which we date the twenty-ninth of February, 1809, the venerable old English friar Bacon (who is by no means to be confounded with his namesake, Chancellor Verulam), after the lapse of so many centuries since his scientific labours, were to rise from the dead, walk into my study, and courteously ask me to make him acquainted with the discoveries which have been made in arts and sciences since his time, I should feel somewhat ashamed, and should not very well know what to answer the good old man. If it occurred to

me to show him a solar microscope, he would instantly point to a passage in his works, in which he not only anticipated this invention, but paved the way to it by positive and practical suggestions. Should our conversation fall on the invention of watches, he would perhaps very composedly say, if I showed him mine, 'Aye, that's the thing; but it does not come upon me unexpectedly. In page 504 of my works you will find the practicability of such machines set forth; where I have likewise treated at length of the solar microscope and the camera obscura.'"

"At last, after a complete review of modern inventions, I must perhaps expect that the deep-thinking friar would take leave of me in the following words:

"What you have effected in the course of so many centuries is truly not so very considerable. Bestir yourselves better. I shall now lay me down to sleep again, and at the end of four hundred years more I will return and see whether you are still asleep, or whether you have made any greater progress in any branch of science!"—i. 11.

Goethe had an acute comprehension of the varieties and complexities of human character.

"I maintain," says he, "that some are even born Eclectics in philosophy; and where Eclecticism proceeds from the inward nature of the man, that too is good, and I will never make it a reproach to him. How often do we find men who are from natural disposition half Stoics and half Epicureans! It would not astonish me at all if such men adopted the principles of both systems, and tried, as far as possible, to reconcile them."—i. 99.

Goethe was averse to all systems of 'popular philosophy.' He considered that 'the results of philosophy, politics, and religion, ought certainly to be brought home to the people; but we ought not to attempt to exalt the mass into philosophers, priests, or politicians.' The misfortune of which is, that it is only in exact proportion as the mass have risen to understand these things for themselves, that the professional gentlemen have abstained from making fools of them.

There are many very interesting reflections in the notes appended to the first volume. Among others, a scene from Goetz von Berlichingen, as translated by Sir Walter Scott, of whose abilities as a translator Mrs. Austin does not think very highly; a scene from Faust, illustrative of Goethe's opinion on the traditional and formula instruction adopted in schools and villages; and a notice of the death of Corona Schroeder, the celebrated actress, in 1802. It was for her that Goethe wrote his 'Iphigenia;' and it was from her mouth that Falk gained part of his materials for the present memoir. There will also be found extracts from the 'Jahrmarkt zu Plundersweilern.' Of one of the songs—the "Ich hab' mein Sach"—Mrs. Austin

gives a capital version, although she apologizes for not having done that which it was perhaps impossible to effect—i. e. give a better.

TRANSLATION.

'I have set my mind upon nothing,
Hurrah!
Therefore am I so well in the world,
Hurrah!
And he who will my comrade be,
let him drink with me, let him think with me,
over these lees of wine.

I set my mind upon gold and land,
Hurrah!
On them I lost my joy and spirits,
Alas!

The coin rolled hither and thither,
and, if I caught it on the one side,
on the other it was gone.

On women now I set my mind,
Hurrah!
Thence came to me great annoyance,
Alas!
The false one sought another love,
the true one made me very tired,—
the best was not to be got.

I set my mind on journey and travel,
Hurrah!
And left all my fatherland's ways;
Alas!
And nowhere I found true comfort:
the fare was strange, the bed was bad,—
nobody understood me right.

I set my mind on fame and honour,
Hurrah!
And lo, instantly another had more,
Alas!
When I had made myself famous,
people looked askance at me,—
I had pleased nobody.

I set my mind on fight and war,
Hurrah!
And we obtained many a victory,
Hurrah!
We marched into the enemy's land,
our friends fared not much better,—
and I lost a leg.

Now have I set my mind on nothing,
Hurrah!
and the whole worlds belongs to me,
Hurrah!
Song and good cheer are coming to an end,
only drink out all the lees,—
the last must be drained.'—i. 205.

The early portion of the second volume contains an account of Herder; and, though brief, it is sufficient to convey a strong impression of the practical moral grandeur of his character.

'As I was once talking in the tone I have used above, of the lofty indifference with which Goethe soared and hung poised above the world's game; he to whom I addressed myself, with his high-arched brow, from beneath which, as from a temple of the divinity, gleamed the radiant fire of his eyes, broke in upon me thus:

"All that is very well. But whether man here below *ought* to ascend into that region where fictitious and real life become one to his perception; where he loses the character of man, though not that of artist; where the light shines, but does not warm nor quicken; and whether the adoption of these maxims would not lead to a general want of character—this is another question.'

"We must not contest with the gods their seats of eternal tranquillity. They may regard all that passes on this earth as a game fore-ordered by them. But man, subject to all human necessities and frailties, ought not to be amused by any painted drop-scene; he ought to retain that holy earnestness without which art degenerates at last into mere juggling and buffoonery. Play—for ever play. Sophocles did not play; Æschylus, still less. These are all inventions of modern times, which are little or nothing worth. David sang hymns of bolder flight than even Pindar, and governed a kingdom to boot. What do you govern? It is good and praiseworthy that you should examine (or, as you are pleased to call it, make yourselves masters of) all, from the hyssop that groweth on the wall, to the cedar of Lebanon—every phenomenon and variety of nature; only you ought not, meanwhile, to lose sight of Man,—the crown of all phenomena, in his moral, inborn greatness."—ii. 31.

The memorialist adds,—

'The mighty voice that uttered these words has long been silent. From the tone of thought they express, opposed to that of Goethe as north to south, the reader will easily guess that it was Herder's.'—ii. 34.

It will be evident from the foregoing observations addressed to Falk, that the lofty, yet definitely practical will, which formed so essential a part of Herder's nature, rendered his character a positive contrast to that of Goethe.

'Once, as Herder told me, he said to Goethe in his forcible piquant manner, "Look you, in comparison with what you might be in the world, and are not, all that you have written is, in my eyes, mere dirt."—ii. 34.

Certainly a more perfect instance of the 'forcible piquant,' as Falk is pleased to call it, could not easily be found.

Kleist, the tragic poet and novelist, appears to have been of a noble nature, rendered gloomy and despairing by a morbid temperament irritated with disappointment and neglect. His thoughts and feelings were circumscribed, but those he possessed must have been intense. Such characters can never bear collision with the world, which to their strong 'one-sidedness' must ever seem unjust, wrong, and insane in all its doings. The consequences may easily be foreseen, either in madness by the necessary inward recoil from too strong an external power, or self-destruction. The latter was the case with Kleist.

'His sudden voluntary death was a severe shock to all his friends, as well as to all those who honoured his genius and his noble character. Shortly before his death, he destroyed all his papers. A long essay, containing the history of the inward workings of his mind, must have been singularly interesting.'

'The editor became acquainted with him in 1808, at Dresden.'

'Heinrich von Kleist was of middle size, and strongly built. He was grave and silent—no trace of obtrusive vanity, but marks of noble pride, appeared in his aspect and demeanour. He struck me as having some resemblance to the pictures of Torquato Tasso, and had, like him, a slight thickness in his utterance.'—ii. 115.

In Note 24 of the second volume, a good account will be found of Lessing, to whose intellectual chivalry Germany was indebted for the expulsion of the formal affectations of French tragedy, and the introduction of Shakspeare. This was followed by Wieland's translation, which was the first that appeared; but the true genius of Shakspeare was not entirely understood till Goethe's 'Goetz of Berlichingen' had paved the way for the masterly criticisms of August von Schlegel.

Wieland lived to the age of eighty. Goethe represents him as having always retained the feeling and energy of youthful genius, but experiencing only the more strongly those reactions which are occasioned by a conflict with the outer world. He therefore determined to accept the 'actual' as the 'necessary,' and endeavoured to persuade himself that what he had previously

considered as truth, was only fantastic visions. Schiller never lost his faith in this respect; nor in fact did Wieland, who seems to have recovered himself eventually, and to have experienced no other change than that of becoming 'many-sided' and a universal observer. He was the author of *Oberon*, the *Musanon*, &c.; translator of Shakspeare, Cicero, Lucian, Horace, Aristophanes, and other authors; and editor of the *Deutsche Mercur*. He lived in retirement near Weimar, with his wife and Sophie Brentano, the daughter of his first love. They both died before him, and he had them buried in his own grounds, reserving a space between them for himself. He was buried there; five hundred people followed him to the grave. The description of his physiognomy may excite some surprise.

'His personal appearance was nothing less than [*? anything but*] commanding; for his cast of countenance was precisely that (excepting a small and handsome ear) which the Greeks idealized into the youthful fawn and aged satyr. He had a large mouth, a broad flattened nose, little gray eyes, and a yellowish complexion. The only agreeable feature of his face was a very spacious forehead, marked by long horizontal lines, which being straight could hardly be called wrinkles. His head was covered with a black velvet skull-cap, which he never laid aside, even at the Duke's table.'—ii. 228.

Wieland left behind him a family of fourteen children, and between fifty and sixty volumes. He used to say with Continental naïveté, '*Aucun auteur n' a fait tant d'enfants et de livres que moi.*'—ii. 229.

The notices of Frederick Justin Bertuch, a contributor to the *Deutsche Mercur* and other periodicals, and in 1775 the first translator of *Don Quixote* into German;—of Lenz, the passionate admirer of Shakspeare, and the lover of Goethe's sister, on account of whose death he went mad;—of Kotzebue, his egotism and his travels;—of Klinger, the bad poet and good general-officer, who read his composition to Goethe till he started up and ran away; whereupon, calmly gathering up his papers, the luckless author said, '*Curious!—this is the second man with whom this has happened to me today!*'—are all taken from the '*Dichtung und Wahrheit*,' and will be found full of interest.

It appears that the 'scornful misanthropy' and bitter sarcasms of Merk, furnished Goethe with the first hints for his *Mephistophiles*. He used to call him *Mephistophiles Merk*. The great knowledge of men, manners, and history, and the vigorous animal spirits of this strange being, gained him access to all societies, formidable as he was in character. His person was equally so. He was tall and gaunt, with 'a long projecting

pointed nose; and his eyes were light gray, which 'moved to and fro with a keen watchfulness, and gave his face a tiger-like expression.' His portrait has been preserved by Lavater. Merk once said of Goethe,—and these few words were so characteristic of Mephistophiles, that they seem as if they were literally translated from Faust,—'What the devil possesses Wolfgang to play the laquais and the lickspit about the court of Weimar,—to humbug others, or be humbugged himself? Can he find nothing better to do?'

"Merk," added Herder, "was an oddity; rigid on many points, often paradoxical, sometimes gloomy, sometimes giving out glorious flashes of light; it was his own fiery spirit that consumed him; he collapsed gradually into himself; the flame sent up a few fitful gleams, and then all was darkness and ashes." — ii. 35.

Merk died violently by his own hand.

Goethe's '*Dichtung und Wahrheit*' evinces great power of appreciating his contemporaries, and of entering into all their various and singular characters. With those, however, who were of a gloomy or sardonic nature, he avoided having personal intimacy, upon the principle of not placing himself in the way of intense or agitating impressions.

The following account of Goethe is extracted from various parts of the second volume, but chiefly from the speech of Herr Von Müller, Chancellor of Weimar, pronounced at a meeting of the Academy of Useful Sciences at Erfurt, and designated 'Goethe, considered as a man of action.'

Goethe was counsellor of state to the Grand Duke of Weimar; connected with the University of Jena; manager of the court theatre; superintendent of all the musicians, and of the chief institutions of art and science at Weimar; and in all these departments he was very active, establishing schools and introducing improvements.

All this does not militate in the least against the elucidation of Goethe's character previously propounded. It may be a question whether he would have done all this, or resolutely persisted in advocating the beneficial effects of establishing some things and reforming and improving others, if he had been strongly opposed by his chief contemporaries and the majority of the public in consequence of their ignorance, or from other motives. To have done this under such circumstances, would have required great practical power of will, and as it does not appear that he possessed this, there is good reason for supposing he would not have persisted. But as it was, he had things all his own way by the express order of the Duke. •

Goethe was very careful of his time, and very methodical. He made an entire scheme beforehand, of the work in which he was about to engage. This, however, may be doubted in various instances; among which Faust stands forth with peculiar pre-eminence as an instance of prolonged indecision. He had a host of admirers and askers of advice; and received all travellers, in order to hear news from every part of the world, taking considerable interest in all great works of every kind that were undertaken at home or abroad, such as the Erie Canal and the Thames Tunnel. Every week he was accustomed to be visited at a fixed day and hour by the Grand Duchess Luise, and the reigning Grand Duchess and Grand Princess Maria. He was undoubtedly a patron of genius and talent wherever they presented themselves. He wrote almost every week to his friend Zelter, the celebrated composer. Zelter was in perfect health at the time his friend died; 'but the first Saturday (the day on which he used to receive his letter) after Goethe's death, he became dejected and silent; the second found him ill, and on the third, death softly led him to rejoin his immortal friend.'—*Extract from a letter from Prince Pückler-Muskau to Mrs. Austin, June 25, 1832.*—ii. 314.

Various observations having been made concerning Goethe's political philosophy, it may give a better clue to the reader's opinion to subjoin the statement of Von Müller, in his view of 'Goethe as a man of action.'

'Goethe has often been reproached with taking little interest in the political forms of his country; with having failed to raise his voice in moments of the greatest political excitement; and with having even, on several occasions, showed himself disinclined to liberal opinions. It certainly lay not in his nature to strive after a political activity, the primary conditions of which were incompatible with the sphere of existence he had made his own; and the consequences of which were not within his ken: From his elevated point of view, history appeared to him nothing more than a record of an eternally repeated, nay, necessary, conflict between the follies and passions of men, and the nobler interests of civilization: he knew too well the dangers, or, at least, the very problematical results, of uncalled-for interference: he would not suffer the pure element of his thoughts and works to be troubled by the confused and tumultuous incidents of the day.'—ii. 283.

Since he thought the conflict 'necessary,' it seems hard he should not have assisted 'the nobler interests of civilization' by engaging in it. As to the dubiousness of results, and the dangers to which he knew 'too well' all those were subject who engaged in the cause, this might be urged as an argument by the selfish and pusillanimous in every period of

the world, against all progression and improvement. The 'un-called-for interference' cannot be applied to Goethe, since he was often called for, but would not come. The last cause assigned is far more admissible,—because 'it was his persuasion that much less could be done for man from without, than from within;' whence may be inferred, that it is better to be intelligent than wilful. This was the groundwork of his character. But no permanent good can be effected without a union of both principles.

'Whatever threatened to retard or to trouble the progress of moral and intellectual improvement, and the methodical application and employment of the powers of nature; or to abandon all that is best and highest in existence to the wild freaks of unbridled passion and the domination of rude and violent men, was, to him, the truc tyranny, the mortal foe of freedom, the utterly insufferable evil.'—ii. 285.

The first part of the foregoing not very nicely-balanced sentence, shows what sort of tyranny he considered as insufferable, and is applicable to the opponents of all measures for the benefit of the people; the latter part offers a high compliment for the self-application of all existing governments, churches, and states, and by indirectly denouncing the people as rude and violent democrats, giving way to freaks of passion, proves that mankind ought to remain passive to authority under all circumstances. Hence, both parties being wrong, or as Goethe would probably have said, both right according to their own view, he would make no personal efforts in the matter. '*Gute menschen, ihnen ist nicht zu helfen!*'

'On another occasion he writes to a young friend:—

"It is perfectly indifferent within what circle an honest man acts, provided he do but know how thoroughly to understand, and completely to fill out that circle. But where a man has no power of acting, he ought not to bestow any great solicitude; nor presumptuously to want to act out of the limits of the demands and the capacities of the circle in which God and nature have placed him. Every thing precipitate is injurious; it is not wholesome to overleap intermediate steps."—ii. 290.

In other words, 'a man should not flatter himself with the notion of more practical will than he really possesses, nor with more means of demonstration than actually exist; moreover it is dangerous to 'jump to a conclusion.' But these excellent maxims originate in a certain consciousness of deficiency in that impulsive daring which naturally occasions some characters to attempt more than they can effect.

"There are two ways," I have often heard him say, "of attaining an important end, and of producing what is truly great—force and perseverance. The former soon becomes odious, irritates resist-

ance and counteraction, and is moreover within the reach of only a few favoured individuals; but perseverance—steady, unflinching perseverance, may be practised by the most humble, and will seldom fail of its end; because its quiet power grows resistlessly with the lapse of time. Where, therefore, I cannot follow out a course of action with steadiness and persistency, and exercise a continuous influence, it is more advisable not to try to act at all: especially because such broken efforts only disturb the natural course and development of things (which often bring their own remedies), while they can give no security for any more favourable turn of events.’—ii. 295.

These sentiments are peculiarly illustrative of Goethe's character. He speaks of ‘force’ or power of will, and the means of exercising it successfully, as a gift possessed by only a few ‘favoured individuals,’ and shows that a truly advantageous substitute for the want of such force—nay, a more certain power in itself—may exist. This was his own case, nor can any man be great without ‘persistency.’ But as to the latter being ‘practicable by the humblest,’ the possession of ‘a steady, unflinching perseverance’ is quite as rare a gift as the most commanding impulses. Neither does such a kind of perseverance form a prominent feature in Goethe's character, because he would have shrunk from all resolute opposition and contest, partly on principle, and partly to avoid all excitements and ‘intense impressions.’ The concluding remark is an amusing instance of sedative philosophy not unlike that of Caudide.

The following extract from a letter to the young friend previously quoted, is far better, inasmuch as it concludes hopefully as well as wisely.

“Let every one do the Right in his place, without troubling himself about the turmoil of the world, (which, far or near, consumes the hours in the most unprofitable manner) and like-minded men will soon attach themselves to him, and confidential interchange of thoughts, and growing insight into things, will of themselves form ever-widening circles.”

“Damit das Gute wirke, wachse, fromme.
Damit der Tag des Edlen endlich komme.”—ii. 290.

The characters of Goethe and Herder are well contrasted by Falk in the following passages.—

‘As the difference between him and Herder was a serious one, even the extraordinary qualities which distinguished both, rendered a reconciliation impossible. With Herder all forms became ideas; nay, he soon

* “So that the Good may work, may grow, may profit;
So that the day of the Just may come at length.”

reduced even all historic facts into "Ideas, towards a history of the human race*." On the contrary, in Goethe, all ideas became transmuted into forms. He would have liked, as we have seen above, to renounce the imperfect medium of language; to speak, like nature, in symbols, and to throw his whole imagination, with the vividness and reality of sense, into the existence of a flower or a star.

'To him, as to Nature, it sufficed to revel in unwitnessed solitude, and to pass from one agreeable state of existence to another, through all forms and modes of life.'

'At such moments he disliked even the mention of Herder, whose northern severity led him to insist on overshadowing those gay, delightful visions of art and imagination, with the thunder-clouds and mists of politics and actual life.'

'These, as Goethe truly remarked, were two totally different and widely-severed spheres; it was absolutely necessary to keep them quite distinct, and to let every man take care of himself, and God of us all.'—ii. 36.

This is speaking plainly enough, and may go far to convince even those substantial reasoners who have a dread of being involved in a theory, that good grounds existed for the suggestions previously advanced concerning the peculiar character of this celebrated man. But independently of such natural and ineradicable causes as have been assigned for his indisposition, or incapacity, to act in any popular struggle, the situation Goethe held at the Court of Weimar, and his personal intimacy and friendship with the reigning family, could scarcely fail to preclude his taking any position which should directly or inferentially array the rights of mankind against those of legitimacy.

In all extraordinary characters, it is both curious and important to observe the exceptions to their consistency. Falk shows that Goethe sometimes lost his equanimity, when excited unawares by some outrageous absurdities and abuses.

'Society, art, the court, poets, politics, reviews, philosophy, the universities, every thing, in short, that was in any way connected with the inner and higher life (or at least that could establish its claims to such a connection by words and works), served him as theme; and he played upon them from top to bottom of his whole gamut of growls.'

'Nothing could be so delightful and amusing as to hear the all-sided man suddenly become a thorough-going, one-sided partisan—an inveterate, narrow bigot. In these moods he seized the world by one corner, and shook and worried it in every direction; though usually he was so afraid of disturbing or ruffling any thing, that he took it up most delicately by all four corners.'—i. 106.

* "*Ideen zur Geschichte der Menschheit*;" the title of his great work. —*Transl.*

The third volume commences with 'Notes on Goethe,' extracted from the *Bibliothèque Universelle de Genève*. His first Tragedy, *Goetz von Berlichingen*, appeared in 1773; it was written in a month, but had existed in his mind some time previously. *Werther* was also written in a month, and was published in 1774. During 'the conference of Erfurt, Napoleon had an interview with Goethe, and made some critical remarks on *Werther*', but what they were, is not specified. At the age of four-and-twenty, Goethe was invited to the court by the young Duke of Sachsen-Weimar, and 'from the year 1776, we see him raised to the post of Privy-Counsellor of Legation, and having a seat and voice in the council.' Various animadversions having been made on Goethe's sudden elevation to state offices, the Duke, then in his nineteenth year, made an addition with his own pen, to the protocol of the acts of the ministry, from which the following is extracted:—

'As to the observation, that persons of merit may think themselves unjustly passed over; I observe, in the first place, that nobody, to my knowledge, in my service, has a right to reckon on an equal degree of favour; and I add that I will never consent to be governed by mere length of service or rotation, in my choice of a person whose functions place him in such immediate relation to myself, and are so important to the happiness of my people. In such a case I shall attend to nothing but the degree of confidence I can repose in the person of my choice. The public opinion, which perhaps censures the admission of Dr. Goethe to my council without his having passed through the previous steps of Bailiff, Professor, Counsellor of the Chamber, or Counsellor of Regency, produces no effect on my own judgment. The world forms its opinion on prejudices; but I watch and work—as every man must who wishes to do his duty.'—iii. 16.

It appears that not long after this, Goethe conceived a deep affection for a young lady, which was as sincerely returned. 'There was no obstacle,' as he admitted to a friend, 'which it would have been impossible to surmount;—and yet,' he added, 'I did not marry her.' In order to put an end to the difficulties, whatever they were, the lady offered to accompany him to the United States; so that the unhappiness which followed his declining this means of effecting their union, could not be attributed to any infirmity of will on her part. It might perhaps have been in a great measure owing to some refined principle of gratitude in Goethe; as the peculiar tone of her proposal, to go to America, suggests the idea of the lady being a near relative of the Grand Duke. Goethe wrote and published his *Memoirs*, but he stopped short when he arrived at the above events; the whole account, however, was written, and intended for publication

at a fit time. There does not appear the slightest ground for the charge of servility which some envious individuals have attempted to bring against him, but every proof exists to the contrary. 'He enjoyed absolute independence; not one of his tastes, not one of his habits, was thwarted.'

'On one occasion, as a German friend told me, when Goethe was at court, it happened that he was in one room and the grand duke in another. By degrees the whole company had gathered around the poet and left the prince nearly alone. "Come," said he, good humouredly to some one at his side, "we must do like the rest. Let us go and pay our respects to Goethe." I give this on hearsay evidence, but there is substantial proof enough that it is likely to be true.—*Transl.*—iii. 52.

Kanzler von Müller says in one of his pamphlets, that

"The mutual respect of Karl-August and Goethe was so profound, each had such a religious reverence for the character and the slightest peculiarities of the other, that, while they reposed unconditional confidence in each other, they always treated each other with a certain delicate caution, like equal and sovereign powers."—iii. 318.

There are few natures sufficiently noble not to have been spoiled, and rendered vain and arrogant, by such circumstances. Another fine trait in Goethe's character, is his utter insensibility to all the pettiness of literary jealousy. He was never selfish in any of his actions, but only in his inaction and his theories upon that subject. His private conduct was at all times truly generous and disinterested. When he was manager of the Court Theatre, he bestowed the greatest care and assiduity in bringing out the tragedies of Schiller, and the various dramatic pieces of other authors. Nearly all the first men of his time, in every department, were his personal friends. Kanzler von Müller says,—

"Never did he employ the great influence granted to him by his prince and friend, for selfish ends, or to the injury of any one. I can indeed affirm of my own knowledge, that among the numerous letters and confidential suggestions which have been preserved among the duke's papers, there is not one to be found in which he does not plead with the warmth of personal interest on behalf of some instance of honest service, or of promising talent."—i. 322.

Goethe was in the habit of keeping up a voluminous correspondence with crowned heads, and with intellectual potentates of all countries, such as Cuvier, the two Humbolds, Byron, Zelter, Walter Scott, Carlyle, Manzoni, David the sculptor, Count von Sternberg, Geoffroy de Saint-Hilaire, and a long list besides.

When Goethe was suffering under any painful emotions,

from the death of friends or other causes, he always sought relief in science, but his works of imagination were the product of his more calm and happy hours. The writer in the '*Bibliothèque Universelle*' endeavours to show that Goethe's evasion of all intense impressions is to be attributed to 'the result of observation and of great force of will.' But the more he argues the less he proves. He observes that Goethe, being intensely susceptible to all impressions, had to dread more than any other man, those ideas which might 'turn him aside from his track, and give up his immense imagination to uncubed wanderings.' Surely if any one man surrendered his imagination to uncubed wanderings more than another, it was Goethe. He had not enough will to govern and bind them down by the laws of the understanding; he had a richly figurative or 'objective' imagination, rather than what Hazlitt calls a 'reasoning imagination.' Force of mental courage and will, may be shown in resolutely employing the mind or body in various occupations, in order to shut out and escape painful thoughts and emotions; but it is weakness of will, both mental and physical, to shrink from intense impressions and take every mean to avoid them off. It may sometimes be wise, and generally prudent, to do this; but the will, where it exists with true strength, is generally as confident of its fortitude to endure, as of its power to act, and does not evade but court those intense impressions which are coincident with the nature of the individual. Lastly, in order to wud off such impressions and emotions, it must be necessary to shun all the correlative and conducive objects; and this (to deal with Goethe's principle as a general theory,) has a distinct tendency to reduce the mighty sphere of thought and action to a flat and vapid mediocrity,—a panoramic picture,—a his-relief,—a 'quietest in place.'

Goethe read all the important productions in the French, Italian, and English literature of his time. In discussing the '*Souvenirs de Mirabeau*,' he draws a parallel between the French orator and himself, which those who were conversant with the writings of both, will be likely to pronounce more modest than accurate. The facility possessed by Mirabeau of appropriating the knowledge and thoughts of others, is of a very different kind from the acquisitive and inventive faculty displayed by Goethe in so many works. He says,—

'What have I done? I have collected and turned to account all that I have seen, heard, observed—I have put in requisition the works of nature and of man. Every one of my writings has been furnished to me by a thousand different persons, a thousand different things—the learned and the ignorant, the wise and the foolish, infancy and age, have come in

turn—generally without having the least suspicion of it—to bring the offering of their thoughts, their faculties, their experience: often they have sowed the harvest I have reaped; my work is that of an aggregation of beings taken from the whole of nature—it bears the name of Goethe.—iii. 76.

He immediately adds, ‘Such was Mirabeau.’ In a literal sense, and with the addition of great practical energy and commanding eloquence, this may be true; but in the respective edifices which they both erected, very different and often quite opposite powers must necessarily have been employed. And this is evident without recurring to the fact of Goethe’s alarm at all shocks and concussions in politics; an established government being in his eyes ‘a kind of ark,’ under any circumstances.

The Memoirs of the Duke and Duchess of Sachsen-Weimar, by Chancellor Von Müller, are written in a strain of high eulogium; but, unlike the memorials of crowned heads in general, the virtues of the individuals exceeded the pen of their biographer.

‘To the noblest natures alone is it grained, by the peculiarity of their lives and actions, by their constant and undeviating tendency towards what seems to them right and dignified, to leave so indelible an impress of their own image, that even when called away to their higher destination, that image remains with us in all the freshness of life; giving comfort and blessing to all who turn to it in affectionate reverence, and descending to late generations as an abiding and glorious proof of the moral grandeur which a firm, pure will, may achieve for itself.’—iii. 167.

The Duke and Duchess lived happily together during fifty years. Their friendship with Goethe continued unbroken through the whole of that long period. At the Court of Weimar, while the Duchess-Mother Amalie was regent, every encouragement was given to men of genius and talent in all their varied forms and pursuits; and the noblest fruits became apparent throughout the reign of Karl-August.

‘But the Beautiful went hand in hand with the Useful, and art and science flourished under the prince’s liberal cares. Under Goethe’s immediate direction the court-theatre became the modern school of German dramatic art, and of easy, natural acting. Foreigners resorted to Weimar and to Jena, where youthful talents unfolded themselves in a secure and free asylum, and often attained to a maturity by which other countries were destined to benefit. This was the most flourishing period of the university of Jena. Its preeminence was not produced by wealth, nor by any artificial excitements; it was the observant, encouraging eye of the prince which animated and enhanced those glorious efforts; which stimulated those noble aspirations. It was the mild and genial atmosphere of mental freedom and tolerance of opinion, which made every one feel so perfectly at ease in this narrow space; and as in the great garden of

nature trees and flowers of the most different kinds unfold in full luxuriance side by side, so did we here see the most various, nay repugnant, spirits distinguish themselves undisturbed, each in his own province, secure and free under the shield of their high-minded patron.'

'Under such auspices were fostered a Griesbach, Paulus, Reinhold, Fichte, Schelling; a Loder, Feuerbach, Thibaut, Schutz, Tieck;—the Humbolds, Hufeland, Schlegel, and so many other of the brightest stars of German literature. Here Schiller found a second home, and in Karl-August's favour and warm sympathy fresh stimulus and tranquil leisure for his immortal master-works. The cosmopolitan Bode, the far-travelled Gore, chose Weimar as their place of rest; here did the noble refugees, Montmorency, Mounier, Camille Jordan, and many others, find an asylum and respect amid the storms of the time; the most delightful and refined society surrounded the court, and Weimar, as well as the tranquil valley of Tiefurt (the summer residence of the Duchess-Mother), was the halloved resort of the most distinguished pilgrims from all countries.'—iii. 13.

The Duke joined the Prussian army against France in 1792, and was engaged in active service at the battle of Jena, and lost his independence with the rest of Germany. On his subsequent return to Weimar, he proceeded with his plans of improvement, placing Herder at the head of church affairs and public education; Voigt as the organizer of reforms in law; and Goethe in the arts and sciences. Weimar has been particularly noticed by Cousin in his report on public education. The Duchess took the greatest delight in forwarding all the plans of her husband; and Schiller and Herder shared her friendship and admiration with Goethe. Her magnanimous and dignified conduct when Napoleon entered Weimar, won his utmost respect and consideration, notwithstanding his exasperation at the Duke's steady adherence to his opponents; and he granted all her requests. Among the various patriotic acts of this lady, it must not be passed over, that she received only twice in her life the income to which she was entitled by her marriage contract; from a dislike to taking the public money.

The third volume contains an article translated from the 'Conversations-Lexicon,' entitled 'Goethe, as seen in his works.' It is a concise account of his varied writings on art, science, and general literature. Some of the remarks are more true than complimentary. Thus, in speaking of 'Wilhelm Meister,' the writer says,—

'What Goethe intended in it remains a mystery;—nor can any adequate judgment be pronounced of the unity or the integrity of the *Lehrjahre*, since the unfinished *Wanderjahre* throws no satisfactory light on the tendency of the whole.'—iii. 233.

'Nevertheless,' adds the writer, 'Meister must ever be

considered one of Goethe's most admirable works, for in that and in *Faust* are combined all the universality of his genius.' This is true; although it must be confessed that admiration of a work or works, is not enhanced by finding that nobody can discover 'the tendency of the whole.' A conjecture was ventured at the commencement of this article, as to the probability of a peculiar theory being entertained by Goethe concerning 'the enigmatical' with which his writings abound; and an extract from the pamphlet of Kanzler von Müller in the concluding page, places the conjecture beyond doubt from Goethe's own words. They are to the effect, that every work of art should be suggestive,—should 'excite to reflection,'—should 'leave something to divine,'—so that every reader should be 'compelled to expound it after his own imagination.' The consequences of this have been apparent in many a ludicrous controversy as to Goethe's meaning in his greatest works. But this 'difference of opinion' may be expected to cease now it is known—that he constructed most of his works on a plan so undoubtedly original, that by virtue of meaning nothing in particular, they should be fancied to mean everything. The elaborate evasion of the definite, has thus been mistaken for the infinite; because his natural deficiency of concentrative volition really enabled him to have a universality, and consequently a vagueness, of purpose. His greatest works are exclusively addressed to the idealities of abstract nature, and cannot easily be 'brought home' to the possible condition of humanity.

The opinion, however, expressed in the '*Conversations-Lexicon*' concerning Goethe's smaller poems and songs, will be disputed by few who know them.

'Not less influential have been his lyrical poems,—especially his exquisite songs, which will live for ever on all lips and in all hearts,—in harmonizing the temper of his age; for a true music of the feelings, such as had never been heard in Germany, breathes through them all.'—iii. 260.

The Note in vol. iii. p. 265, contains an exposition too concise to be very satisfactory, of the philosophy of Goethe, by means of a summary notice of the systems of Spinoza, Kant, Schelling, and Jacobi. The system of dualism divides the universe into antagonist parts or principles, as matter and spirit, creator and creation, good and evil. Jacobi first attacked this in the philosophy of Spinoza and Kant, but he eventually fell off into a thorough denunciation of all philosophy, and rested exclusively in revelation. It was Fichte who pushed the Kantian system to extremes; but Jacobi misunderstanding Schelling, chose rather to attack him than Fichte, though Schelling had in truth been the originator of the system which Jacobi had principally

advocated, or at all events of the new school of philosophy. During 'the grand schism in German literature, Goethe and Schiller gave in their adhesion' to the system of Schelling; they were therefore opposed to Kant and divergent from Jacobi.

'German literature is inextricably interwoven with German philosophy. There is not a fairy-tale of Tieck, not a song of Goethe, not a play of Schiller, not a criticism of Schlegel, not a description of Humboldt, in which this under-current is not perceptible; nay, however paradoxical it may appear, I will venture to affirm that German music has received much of its peculiar character from the same source; that the compositions of Beethoven, Weber, Spohr, Mendelssohn, are deeply tinged with the same spirit. It is as well to say this frankly, since those to whom such topics and such tendencies are unpalatable ought not to be betrayed into wasting their time.'—*in.* 256.

The account of Goethe's last illness and death, is extracted from the 'Bibliothèque Universelle de Genève.'

'The death of the Grand Duchess Louisa, which happened in February, 1860, at first caused a sort of reaction in him which was characteristic; but it led him more than was usual to the thought that a similar fate was at hand for him: he spoke to his friends several times of his death, and of the means of warding it off to a remote age; "Yes," said he, "we can make head against him for some time as yet; as long as one creates, there is no room for dying"; but yet, the night, the great night, will come, in which no man can work. He used to call that solemn hour "*the undetermined hour*."—*in.* 85.

'During the six days of his short but fatal illness, he betrayed no symptom of anxiety as to its possible termination; once only he seemed to fear being threatened with a vomiting of blood, and desired that, if it came on, they would not hesitate to bleed him. But all his conversation showed that if he thought himself dying, he did not fear death. Faithful to his principles, he constantly occupied himself, that he might not give the thinking faculty time to grow dull and inactive. Even when he had lost the power of speaking, his hand preserved the character of his life; his voice was mute, but he traced characters in the air;—and when his hand sunk slowly on his knee, the radiant star had sunk beneath our horizon*.'

'It is needless to speak of the effect of Goethe's death on all classes of society, nor the intense interest evinced by all the people of Weimar during his illness. Up to his latest moment he continued to receive

* 'Chancellor von Muller writes to me, "Goethe died the most blessed death that man can die—conscious, cheerful to the last breath—perfectly painless. It was an universal gentle sinking and going out of the flame of life;—harmonious, without struggle. 'Light' was his last request. Half an hour before the end he said, 'Open the shutters that more light may come into the room.' These were his last words—prophetic, like his life."—(Extract from a Letter addressed to Prince Puckler-Muskau, to whom I am indebted for it.)—*Transl.*

from the ducal family proofs of the affection which had bound him to their predecessors.'

'Just before he expired the grand duke was in the house, and expressed a strong desire to be allowed to see him once more, and to speak some last words of love and consolation to him. A few moments afterwards Dr. Eckermann quoted to the friends assembled in the adjoining room the two last lines of Faust,

"Es kann die Spur von meinen Erdetagen
Nicht in Eonen untergehn*."

At that moment Goethe breathed his last.'

'His funeral, which was described in all the public papers, was such as befitted his station and his fame. The grand duke gave immediate orders for the execution of his predecessor's desire. The remains of the great poet were deposited in the royal vault, by the side of the master and of the friend he loved so well—Karl-August and Schiller.'—iii. 92.

Whatever difference of opinion may exist as to the qualities and application of Goethe's genius, few will be found who, knowing any thing of his works and character, will deny that he was a man of most enlarged intelligence and benevolence of feeling; without spleen, and without any vices or bad passions; one whose knowledge was both deep and of the greatest variety; the empire of whose imagination knew no limits; and who possessed a natural and perhaps equal aptitude for all things, which he manifested by works whose lustre might reasonably have enabled him to say that the ethereal traces of his steps 'could not be lost in the depth of ages.'

ART. XII.—*My Note Book*. By John Macgregor, Esq. Author of 'British America,' &c. &c. 3 vols.—London, 1835.

MR. MACGREGOR'S forte is not graphic description, any more than wit or humour. But of the zeal and painstaking with which he went about his task, the following extracts will convey an idea in his own words.—

'It is not my intention to note down in the form of a diary all we may observe in our wanderings, nor to state what, from exact similarity, would be telling little less than the same story over again. Since our arrival in Flanders we have walked or rode, to see the country and the people, over the fields and along the roads, straying into the province of Antwerp, and into the lower part of Brabant, both which may be considered as peopled with Flemings. We have visited the peasantry in their houses, and accompanied them over their farms—witnessed their domestic arrangements, manner of living, and mode

* "The traces of my early days
Cannot be lost in the depth of ages."

of husbandry—examined their agricultural implements, and culinary utensils; made ourselves acquainted with their habits of thrift; their social relations; their devotions, and superstitions; their knowledge, and their ignorance; their sources of instruction, and their means of living; we have seen them in the lawns, villages, and churches; we have conversed with the priests, the police, and the civic guards; with mechanics, manufacturers, and canal boat-men.

'In all my wanderings in the old and new world—among the inhabitants of French race in Lower Canada, the back-woodsmen of the upper province, the fishing settlements on the coasts of Newfoundland and Nova Scotia, and the agricultural districts of the old colonies, in the cities of Europe, and among the agricultural, manufacturing, and seafaring classes of the United Kingdom or the Continent, I have followed, when in search of information, the same invariable practice, which a fair share of experience has convinced me to be the only certain way of knowing and understanding men and things as they are—of forming conclusions unshackled and unbiassed by the prejudices of local circumstances, education, religion, or country.'—i. 50.

Mr. Macgregor seldom omits an opportunity of making a hit at the unfortunate cockneys. It would scarcely have been imagined that an occasion would have arisen out of the bill of fare of the passage-boat from Bruges to Ghent.

'For passage and dinner we were charged five and a half francs each, according to the present rate of exchange four shillings and sixpence; for this sum we were carried comfortably thirty miles, and for dinner we had very good soup; *bouilli*, for which I can only say that the soup had extracted from it all nutrition; excellent fresh turbot with clear butter sauce; savoury mutton chops; plump roasted chickens; fat stewed pigeons; juicy young ducks; sweet green peas; fresh salmon, with its flesh stratified in delicious red and creamy layers; substantial sausages; and capital ham, with carrots, french beans, potatoes, pastry, and a tolerable dessert;—we had ale gratis; for wine we paid extra.'

'It was this barge, her accommodations and fare, that so delighted a cockney two years ago, that he almost began and completed his tour on board of her. On leaving London he carried with him 50*l.*, resolving to travel and see the world while the cash lasted. So delighted was he with the sumptuous dinners; cheap fares, and ever changing society, that he remained during day, making voyages to and from, and sleeping alternate nights at Bruges and Ghent, until he spent all but sufficient money to carry him back to Cornhill. He has been always laughed at; but there are worse methods of travelling to glean knowledge, and to see the world.'—i. 61.

A much better edition of the story was heard on board the same identical treck-schuyt. It was, that an English half-pay officer lived in the boat.

The following is one of the many examples on record of disastrous consequences following strikes for wages, and is remarkable as being the first, and tainted with the ferocity of the age in which it took place.

'Louvain was celebrated at an early period for manufacturing industry, and is remarkable as the place in which history first records a combination of tradesmen striking for wages. In 1382, fifteen thousand weavers, clothiers, and other workmen, revolted against their employers, attacked the Hôtel de Ville and threw the magistrates from the windows into the Grande Place. Many of the revolted were soon after killed, and the remainder expelled Louvain. After enduring great misery, being hunted from place to place, they finally settled in foreign countries—chiefly as journeymen weavers and clothiers in England.'—i. 86.

At Aix-la-Chapelle, Mr. Macgregor says,

'We lounged into the magnificent Redoute, one of the brilliant saloons of which was filled with gamblers, among whom were persons whose faces I well knew, and whose votes by proxy were, on that very evening, passing or rejecting laws for the benefit or damage of the British Empire: there were also "ladies," not then "bright" but "of high degree," yet mingled at play with some seven black-legs not unknown at Newmarket.'—i. 100.

Such are some of our hereditary legislators. And these perhaps were quite as harmlessly employed as their brethren who were spouting and voting in the House.

In a steam-boat on the Rhine, Mr. Macgregor records that he had much conversation with the Earl of W—— about public men and public measures in England. The public, however, has lost the benefit of the conversation which Mr. Macgregor had with the Earl of W——; which it would, he says, be improper for him to write down. Mr. Macgregor, though he professes himself a stout liberal, is evidently captivated by the rank and courtesy of the Earl of W——.

'Among the passengers on board was the Earl of W——, on his way from Switzerland to England. I had much conversation with him about public men and public measures in England, which it would be improper to note down here, but which I shall not forget. He is a very different man from what the newspapers represent him, and although our political ideas do not harmonize, I believe he, individually, was in no way concerned in the corruption practised during the last election for the borough of W——.'—i. 121.

On the other hand in the following passage he shows that he does not yield even to Tony Lumpkin's boon companion in dislike for 'anything that's low.'

'There were on board a conspicuous couple; an Englishman of

about sixty, stout and strong, and apparently brought up to a sea life, and a woman whom he called wife. They said that they lived in Guernsey, had been on their travels, visited Naples, Rome, and Venice, crossed Piedmont, traversed Switzerland, and were now on their way to Rotterdam, from whence to embark for their home. He, from roving about the world, although vulgar and uneducated, was not exactly ignorant. She, half his age, was the most ungainly lump on earth, yet she evidently held him in full subjection. No coquette or whimsical lady ever played their part with more success than this coarse dame, in frightening her lord to humour all her fancies. What could they be travelling over the Continent for? I suspect that at home he is a smuggler. Ignorant of the languages, illicit trade could not be their object in the centre of Europe. The probability seemed that she being the ruling governor, he travelled to please her, and she, as it proved, would travel as great people do on the occurrence of a certain great affair. In truth they were a wedded pair, and this was their marriage excursion.'—i. 122

The condition of the labouring classes every where engaged much of Mr. Macgregor's attention.

'We could not help remarking, wherever the steam-boat stopped, that the inhabitants on the west, or Catholic banks, of the Rhine were in a much more wretched condition in their habitations and persons than on the east, or Protestant side. What can this be owing to, for the government makes no distinction? It is attributed to the great portion of time abstracted from their occupations by the observance of holidays. The subject is worthy of further inquiry: and not less so is the cause of the general aspect of poverty that prevails among the inhabitants of a country which presents naturally all the elements of comfortable subsistence and wealth. The most useful minerals—coal, iron, and salt, at least an average share of fertile soil, a sufficient quantity of excellent timber, a climate that will, in most places, ripen not only grapes, but all the productions of England; and a large navigable river, with numerous lesser streams, are the general natural advantages of the countries bordering the Rhine, from Mayence to Cologne, and yet the people, particularly on the western banks, exhibit striking characteristics of poverty.'—i. 119.

The following is a melancholy picture of the condition of some of the German peasantry.

'It appears that not only the corn-growers, but vine-dressers of Nassau, live on but meagre diet compared to that of the Flemings, and even of the French peasantry. A very little animal food now and then stewed with vegetables, chiefly potatoes and herbs, or with boiled grain, forms the chief luxury. Rye or barley bread, potatoes, milk, stewed or roasted apples, and on Sunday a very little butter or cheese, form their ordinary meal. In the corn country they seldom or never taste wine, a thin beer and some cyder is their most dainty beverage; even in the fertile Rheingau, and in all the vineyard

country the peasants are as effectually restrained from eating the grapes which they with such incessant labour and anxiety cultivate among the rocky precipices, as the Irish cottier is from tasting the porker he rears, or the butter and wheat his high-rented little farm yields. The peasant of Nassau again, by cooking, that is, by boiling grain with milk, stewing herbs with a little butter, makes much more of what is within his reach than the Irish cottier does.'

'To the peasants of Nassau again, the winter is a most dreary season—it is bitterly cold, and snow covers the ground; but it is scarcely within their power to get sufficient fuel to cook their simple meals; ceaseless labour, alone, keeps their blood in circulation. Yet Nassau is a country, at least as well wooded as France, and there are rich coal mines within a few miles of the Rhine.'—ii. 66.

The contrast is strong between the condition of these poor people and the wealth and luxury of their lords.

'I have heard many travellers, lauding the Duke of Nassau; and I have read passages in books holding him up, as a model for all princes to imitate. I believe he is a very quiet-mannered, unostentatious sort of gentleman. I know he descends from his elevated hunting-seat, *die Platte*, to dine at the *table d'hôte* of the Kursaal; and that by so doing he adds greatly to the receipts of the provender-chief of that vast gourmandising establishment: nor do I deny that he is a very constant husband, a kind father, and that high-bred sportsmen are permitted to range over his hunting-grounds. But I cannot forget my conversations with, nor the poverty and mud-built habitations of his vassals, the peasantry; nor that Nassau has as fair a proportion of rich soil as any country, extensive woods, and great mineral riches, that besides all the crops common in England, the Rhinegau and many other spots, yield maize, vines, tobacco, buck-wheat, and the most delicious stone fruits,—that although the forests abound with fallen trees, and underwood, if where the peasants are starving a stick is carried off by them, a severe punishment follows, that pulling up, even a handful of grass, growing among the trees, or gathering the fallen leaves, is visited with equal severity, and that the old Monastery of Eberach is crowded with prisoners, who are sent there for such peccadilloes, and scarcely with one for what constitutes a crime of magnitude.'

'There is also within his dominions, the last kept up of the feudal fortresses, a vast crag-crested castle, the *holy rhine* and oubliette-renowned Marksberg.'

'With truth may it be said, that the *Gross Herzog* is Sovereign Lord, and supreme Cacique of Nassau—I care not to give him credit for the Kurhaus, the Kursaals, or the Hofs that he has erected, or the wells that he has covered over, when I know that even such buildings have been constructed to add to his personal revenues; that the profits of the *Mineralwasser* are his; that the tenth sheaf of corn is his; that all that can be made out of the territory, after barely supporting the peasantry, who shiver fireless in winter, is his; that in amassing riches he does not give his subjects the same chance as (very closely

allied in character too) his commercial cousin the royal banker of Orange.

'I said to the good woman beside me, "you have at least the benefit of having your children well instructed, they are all at school." "Yes," she replied, "the Grand Duke is very good in that way,—he directs what the children are to learn, but their labour taken from us, from the age of six, to that of fourteen years, is a great loss; and we find it difficult to pay the school-master. Yet by spinning, and weaving flax, hemp, and a little wool in winter, and working very hard, and living frugally in summer, we strive to manage it—we could do pretty well if we only had fuel, and light to see to work by, in the winter nights."

'Such is a tolerably fair picture, I believe, of the condition of three hundred and fifty-six thousand peasants, who pay tithe and tax, and acknowledge, uncomplaining, submission to the Lord of Nassau, and of very nearly all the subjects of all the little *Herzogs*, and great *Herzogs* of the German Confederation. The sooner the King of Prussia annihilates their power, and swallows up their consequence in his political system, the better for the peasantry, however much it may aggrandize the power and add weight to the political balance of that shrewd monarch.—ii. 67.

In the present state of Europe, such a state of things cannot be expected to last very much longer.

Mr. Macgregor gives a clear and intelligible account of the present government of Prussia. The contrast between it and France, is appropriate and striking.

'The government of Prussia, the influence of which may be considered as supreme over all Germany, north of Switzerland and of the Austrian dominions, may be considered a perfectly intelligent and vigorous despotism. The provincial states are not legislative, although elective assemblies; they merely deliberate on such measures as the king lays before them, and give their opinion on matters that chiefly relate to raising the revenue:—they have no further voice in making the laws, for the king is the sole legislator and the fountain of all honour, and of appointments to places of trust and emolument.'

'The whole construction of the administration has been built up to consolidate and perpetuate absolutism of the purest, yet it must be confessed, of the most impartial, and, at present, parental character. The son of a peasant, if he has equal merit, is as eligible, and may find his way to the first employments in the state by the same gradations, as the son of a prince.'

'The system of education, directed and controlled as it is by the king, through the minister of public instruction, and with the appointment of its professors and the payment of their salaries by the government, is also most admirably framed for rivetting the absolute power of the crown; nay, more, the very toleration in public worship is equally so; for the priests, no matter of what faith, are all considered

and treated in the same impartial point of view by the government. In fact, interest and the appointments to place all tend to strengthen the absolute government of Prussia.

'If the king and the council of state want information, either relative to individuals or to detect conspiracies, there is no sacredness, it is said, in the post-office; for the passports, the correspondence, and the conveyances,—that is, the police, the eilwagen, and the letter office, are all centered, in each town and municipality, in the same bureau*.'

'Justice in the courts of law is so equally and so strictly administered in all civil matters, that it is next to impossible for corruption and oppression to exist in the jurisprudence of the kingdom. Unlike Russia, all persons in authority are reasonably paid, and the vigilance of the executive prevents either jobbing or bribery.'

'Again, unlike France, the municipal appointments are nearly all elective, and the affairs of municipalities are cheaply and righteously administered.'

'The Landwehr, who may be considered the national guard of Prussia; the equal parental government to which the people have been accustomed; and the very practice of an administration, which use, for at least three generations, has rendered sacred, form an awful moral check to the abuse of that absolute power which is vested in the king.'

'The present monarch, also, very politically, gathers around him in his councils, and in places of honour and profit, men of science, literary fame, and jurisprudential talent. They are, however, charged with being extremely servile to all the king's views.'

'In fact, if the people of Prussia be content not to intermeddle with political matters, they may, in every other respect, be as free and as well governed, while the present king lives, as any population in the world. But woe be to those who question or dispute the actions of the government, or to those who dare condemn the existing order of things.'

'In political offences the government is inexorably arbitrary. The censorship of the press is especially despotic; and there seems no positive constitutional protection or relief for those arrested on accusation or suspicion of political offences.'—ii. 120.

Now comes the other side of the question; and 'there's the rub.' What security is there for continuance? A fool or a madman may sweep the whole away in a day;—the great argument against hereditary power. And yet, even in that view, Prussia seems to have the advantage of 'la belle France.'

* 'Yet in no country on the Continent of Europe, have I travelled with less inconvenience, as regarded the public offices, passports, &c. than in Prussia. Every man knows his duty and does it. There is no annoyance from ignorance and suspicion as in Belgium, Italy, Austria, Sardinia, and Spain.'—*Note.*

'That there is, strictly, no constitutional security for the duration of good government in Prussia, is undeniable; yet, on the other hand, the moral responsibility of the king and of his ministers, is of the most serious consequence to the existence of the monarchy.'

'If the king and his council act unjustly and oppressively, they cannot do so by a law which relieves them of responsibility; while in France, with her most liberal of charters; with her thirty-four millions of inhabitants; with her one hundred and twenty thousand electors; and with about six hundred thousand appointments in the gift of the ministers;—with all these appointments, communal, municipal, and departmental, not elective, but all centring in the patronage of the *porte-feuilles*; a ministry (unless the electors of France are much more virtuous than those of any other country in the world) may return its own parliaments, make its own laws, and may say, "*si tout Lyon périsse pour la cause du gouvernement, tout Lyon périra*;" and all this "*légalement*." Not so in Prussia.—God knows I am no advocate for any but constitutional governments, but I now speak of the practice, not the form of an administration; and in practice that of Prussia is, I am bound to admit, far milder than the government of France.'

'The aristocracy have no greater influence in the former than in the latter. The administration of Prussia seems balanced between the despotic authority of the king, and the moral power of the whole nation, without any intermediate power to limit the former or protect the latter.'

'Every Prussian subject has, by the consecration of usage, the privilege of individually (not collectively) petitioning the king; but he may be arrested for such construction as may be put on the language of his petition.'

'As long as the people consent, generally, to have no deliberative nor representative voice in the administration, and to be governed with equal strict justice, so long, therefore, will the Prussian government continue to be the most effective in the world; provided the monarch be a prudent and vigilant man, of average intelligence and capacity of mind, of business-habits and clear judgment.'—i. 123.

The Penny Magazine is found by Mr. Macgregor everywhere.—

'Germany and Russia are, ~~absolutely~~, neither to be liberalized by the "Secret Society," nor by Carbonari, nor yet by any such associations.'

'I have alluded to *Inextinguishable Propaganda*. What are these?'

'Reader! turn back to the note headed "THE PHILOSOPHY OF STEAM." In that sentence, governed by the growing intelligence of man, centres the power that sends forth and multiplies *Propaganda*, which make all despots quake.'

'On returning from the University to the Hotel, I found in the public room a file of *Pfennige Magazin*, in the German character and language, printed at Paris, and circulated to the extent of 18,000 copies in Germany. All the wood-cuts, familiar to me in the English edition, were stereotyped, and most faithfully transferred to the German edition.'

'These, said I, and such like, sent forth and circulated by the power of steam, constitute the *Irresistible Propaganda*. This is a short note. May the duration of despotism be no longer.'—ii. 145.

In the steam-boat again which traverses the lake of Neuchâtel, he found, he says, 'the everlasting "Penny Magazine," in French and German, bound in volumes.'—iii. 94.

Rejoice, O Lord Brougham, and be exceeding glad! lift up your voices, O Society for the Diffusion of Useful Knowledge! Let your enemies laugh if they can;—here, assuredly, the laughter is on your side.

The following list may be found useful to pedestrians. A pair of shoes is, however, suggested as a useful addition to it. *Experto crede*. In case of the pair on foot breaking down, an inconvenient delay is sometimes incurred; and good menders of soles are sometimes hard to find.

'With no other loose incumbrance than my cloak rolled and tied compactly round with a string, and having within it a couple of clean shirts, as many pair of hose, and a razor, comb, tooth-brush, and soap, all rolled in a piece of buckskin; then with the end of my walking-stick passed through between the cloak and the string, I threw it over my shoulder, and, with Ebel's guide-book, a four-inch telescope in one pocket, and my note book and a map in the other, I trudged away across the covered bridge of the Limmat, and commenced my journey over the mountain ridge which rises between Baden and the Rhine.'—iv. 171.

The traveller remarks on the copious *diableries* of German topography,—

'If countries retain the name of those who have in days of yore held sway over, or acted celebrated parts in them, the devil must have been in olden times a conspicuous and domineering personage in the Canton of Uri; or, as M. Martin says, "*Le Diable joue donc ici un grand rôle*." Here we have Teufel's Thal, Teufelstein, Teufel's Bruck; valleys, rocks, bridges, and mountains, baptised by the Satanic name.'—ii. 296.

Perhaps the most interesting portion of Mr. Macgregor's tour, is that which relates to Switzerland; where, provided, as has been described above, he travelled, sometimes on foot, sometimes on horseback, sometimes in a *char-à-banc*, over, as he says, 'the most interesting, though least frequented part of Switzerland.' For the ordinary hunters after the picturesque, are not so enamoured of their pursuit as to diverge much from the post-waggon track. Mr. Macgregor was struck with the contrast which presented itself, when his route incidentally came in contact with the high road. Although all England, as he observes, seemed to have emigrated to Switzerland,

not a British subject did he meet, during the whole of his circuitous excursion; but as soon as he again joined the great road, he could not even get lodgings at the principal inns, for there he sure was John Bull, encamped, or moving along rapidly in his comfortable vehicle,

Cum sociis, natoque, Penatibus, et magnis Diis.

One of the most interesting of the author's excursions is the ascent of Mount Pilate.

"No mountain in Switzerland," says Ebel, "was formerly more talked of or more frequently described, and none is less known in our days, than Mount Pilate." In romantic wildness, in difficulty of ascent, in ruggedness, and in elevation, it is far superior to the Rhigi. It rises 8025 English feet above the level of the sea, with seven peaks which elevate their rugged heads and pyramids around the Brundlen Alp. Classical scholars say its name is derived from the word 'pileus,' a cap or bonnet, from the summit being generally, in fine weather, crowned with a small cloud resembling a cap. In old chronicles it is called *Mons Fractus* and *Frakmund*, from its craggy precipices, fractures, and peaks, on the North and East. But the country people, and particularly those who feed their flocks on its flanks and in the valley of Entlibuch, have, as usual, their own stories on the subject.

'They say that Pontius Pilate, having, immediately after the crucifixion of our Saviour, felt the full enormity of the dreadful deed, remorse made him wander over the face of the earth. That he traversed mountains and valleys in despair, until he ascended this mountain to the small unfathomable lake on the Brundlen Alp, into which he plunged; and that he has remained alive in torment at the bottom ever since, empowered by the Devil—the prince of the power of the air—to send forth storms*.'

'This and many other fables relative to Mount Pilate, accredited by centuries of superstition, were confirmed by a law forbidding any one to ascend the terrific mountain without a written permission from the Magistrates of Lucerne, and a guarantee not to profane the lake by throwing in stones or otherwise provoking the evil genius who dwelt in its profundity.'

* 'The particular position of this lake and the evaporations arising from it, which are much more rapid on the Alps than on the plains, account naturally for the frequent storms which break over Mount Pilate.'

'Ebel remarks that "violent storms burst over Mount Pilate in consequence of the vapours which arise from the lake and gather and repose on its peaks."—When the column of vapours rises above their summits it dissipates in the surrounding atmosphere; but ordinarily it attaches to the peaks of the mountain, then gradually dilates and finally acquires such formidable magnitude that it bursts with violent wind and rain, and terrific lightning and thunder over the mountain and surrounding country.'

'It was the frequency of this phenomenon, that caused the superstitious alarm which terrified the inhabitants of Lucerne and neighbourhood, during the dark ages.'—Note.

'The herdsmen who tended their flocks on the adjoining pasturages took an oath annually; not to conduct any person thither, nor even to show the path. A herald proclaimed this order to the mountaineers, for which service he was paid a florin of the Empire. Those who ventured to ascend the mountain without permission were imprisoned; and an act exists among the archives of Lucerne, relative to the condemnation of several priests arrested, in 1307, on the path leading up the Pilate. Vadinus and Stumpf both state that many persons were executed for the same transgression.'

'The superstitious belief in gnomes, evil genii, and especially in the power of the doomed Pontius to blow storms forth from the lake, had gained universal credence, when John Müller, curate of Lucerne, persuaded the Magistrates, in 1585, to allow him to ascend the Pilate, so as to dispel, or confirm, what was reported of the awful lake.'

'He accordingly, accompanied by a *cortège* of the curious and numerous herdsmen from the vicinity, ascended to the forbidden waters, and throwing stones and branches of trees into the waves, he called out loudly "Pilate! throw forth thy slime and thy storms." Pilate answered not,—the lake remained tranquil,—and Müller at last persuaded a bold peasant to leap in and swim round it. Still the adjured awoke not; and the astonished assemblage returned to their homes. Yet credulity would not relinquish its prejudices; and, nine years after, Müller obtained from the Magistrates the privilege of draining the lake. This work was commenced, but obstacles of great difficulty stood in the way—the undertaking was relinquished, and the people continue to believe in, and dread, the evil genius of the Lake and of the Mountain.'

'So much for the legend.—Now for my journey to the summit of this redoubtable Alp.'

'We ascended in a *char-à-banc* to the pastoral village of Krienz, without difficulty—the limestone and partially schistous precipices rising boldly, first before us, and then on the left as they stand facing the lake of Lucerne—between which and the mountain, there are picturesque green pastures with cattle, clumps of trees, and here and there *chalets*. We then ascended, sometimes in the *char-à-banc*, sometimes on foot, along the flank of the mountain, on which numerous herds were browsing, to the hamlet of Hergottswald; at the auberge of which we dined, and from which there is a magnificent view. From this station to Eigenthal the road is difficult, but passable by horses, and with such a firmly constructed, low-wheeled *char-à-banc** as we had. From this second station we proceeded on foot up the winding path between firs, rocks, rhododendrons, and heather, until we reached the Brund'en Al'. On our way the guide directed our attention to one of the most extraor-

* 'I could scarcely have believed, before this time, that any wheeled carriage could possibly have gone over such places as these *Char-à-bancs* do in Switzerland.—The *Dearborns* in the Corduroy roads of the back settlements of America do wonders; but the *char-à-bancs* roll on, comparatively to them, with sublime contempt of dangerous passes.'—*Note*.

dinary firs imaginable. It is somewhat more than eight feet in diameter at fifteen feet above the soil. Nine limbs, about three feet thick and six long, then branch horizontally from its trunk, and then each limb grows up vertically, like a distinct tree. The appearance at a distance is that of nine closely-grown trees.'

'The sun was nearly setting when we reached the Chalet of Gantersay, built in the face of a limestone precipice rising 1,500 feet high over this our resting place for the night on the Brundlen Alp. A more glorious sunset I never beheld—not a cloud obscured the heavens—the long range of the snowy Bernese Alps, and of Uri and Glaris, were brightly resplendent—the peaks of the Pilate shed a rich light purple and red colour—the valley of Entlibuch, and the pastoral hills, vales, and lakes of Lucerne and Berne, exhibited magnificently diversified scenery. Then the Kùhreihen (*Ranz des vaches*) echoing from steep to steep—from the Alpine precipices to the slopes of the Pilate, as the cows were gathered in from the pastures towards the Chalets, added peculiar melodious animation to the otherwise tranquilly sublime panorama.'

'The flanks of Mount Pilate are inhabited all the year round by a hardy pastoral people, who live to a remarkably advanced age, notwithstanding their rather meagre diet, the rigour of winter, and their exposure, at all seasons, to the weather. They are superstitious and devout, and if ever human beings be virtuous in their lives, the scanty population of this stern mountain region must be classed among the number.'

'For some time after the sunset, the Alps and the seven peaks of the Pilate were brightly tinted. The Knapstein* presented overhead a peculiar and threatening appearance. Our guide and two herdsmen, belonging to the Chalet, then conducted us to the celebrated echo. It also is on the Brundlen Alp. Few persons have lungs sufficiently strong, or voices clear enough to bring forth the echo; but the peasants, accustomed to make the rocks resound to their voices, turn half round, first to the right, then to the left, singing loudly the Kùhreihen, with sufficient intervals between each note to allow time for the echo to rebound from the precipices of the surrounding peaks and rocky caverns. Both our herdsmen were famed for their skill in producing this singularly wild harmony—especially grand, during the stillness of so beautiful a night: it might well call forth Pontius himself from the vasty deep of the adjoining lake. We remained half an hour enjoying the extraordinary duet. On returning, I begged one of the herdsmen to call aloud to Pilate, as I should be delighted to see his power* exercised on the lake, in which the stars were then brilliantly twinkling, with the bright milky-way and the blue heavens transparently reflected. He shuddered at the idea, and it would seem as if nothing on earth could tempt him to provoke the demon of the lake; I, however, called out probably as loudly as Müller did exactly one hundred and fifty years before, and in the same words—"Pilate! throw forth thy slime and thy storms," but he remained

* 'Knapstein, rocking stone,' is a huge mass of rock, on the summit of one of the peaks of the Brundlen Alp. It frequently moves to and fro, and at all times seems as about to precipitate itself into the abyss below.'

—Note.

deaf to the summons, even when further provoked, by my throwing in a large stone, which feat produced no manifestation saving the chasing of the counterpart of the heavens from its powerful bosom.

On returning to the Chalet, we opened our little store of provisions; I gave half of what we had to the women,—one old, and one young, and to three children, and then made glad the hearts of the peasants I had terrified by attempting to provoke Ponties, with a full glass of brandy from my flask. The women brought us milk and fresh butter, on which, with some biscuits, I supped. My guide and the herdsmen finishing the remaining portion of meat between them. I rolled my cloak around me, lay down on a long bench, and slept soundly until awakened at a little after four o'clock in the morning, when we had some boiled milk, and bread and butter, and started at five o'clock, to ascend the peak of the Widderhorn.*

We first, however, turned off by a path in nearly a contrary direction, to view that extraordinary white figure at the entrance of an inaccessible cavern in the steep black face of the Brundlen Alp. It has the perfect appearance of a gigantic man, resting with his arms on a table, his legs crossed—the seeming guardian of the cavern. The mountaineers call him Cornell, or Saint Dominick, and the cavern Dominick's-loch. The latter traverses the Brundlen Alp, and opens at the opposite side, where the entrance is about seventeen feet in height, and nine or ten in breadth. To reach the latter is attended with great danger. It has, however, been accomplished more than once with the view of penetrating the cavern, which has been found to open into spacious vaults for about five hundred feet, and then the rocks, still leaving several jagged openings, render any further advance impossible. A cold wind and a stream of water issue from this entrance, to which the inhabitants have given the name of Monden-loch, (Moon's cavern.)

As we stood on the Brundlen Alp the sun rose over the glaciers and snows of the Glarnish. The lakes were all covered with gray fog, and as Sol gloriously ascended in the heavens, the Alps and lesser mountains, with all the various features of Swiss scenery, kindled into inexpressible grandeur.

It is frightfully dangerous—if not impossible—to ascend the Widderhorn without following a circuitous and steep path, in all its zig-zag course, little less than three miles. We, however, attained the summit in little more than two hours from the time we left the Brundlen Alp, and during the course of this giddy footway, the landscape was incessantly changing in its aspects, as the sun was ascending and dispelling the vapours. The day at last became perfectly clear, and as we stood on

* A man named Hubert of Lucerne, resolved to determine whether the statue of Saint Dominick was a work of nature or of art, which it is impossible to say without reaching the entrance of the cavern. He was lowered down by a rope from the summit, but being obstructed by a projecting rock, he called out to those above to hoist him up again. He descended a second time, provided with a strong piked pole, passed the shelving rock, but the rope then broke, and the unfortunate adventurer was dashed to atoms.—*Note.*

the limestone peak, our magnificent prospect may be imagined. General Pfyffer says, that "in a clear day and with a telescope, thirteen lakes and the tower of Strasbourg may be seen." I, with mine, saw distinctly eight lakes, and if that of Lucerne be counted, with its deep locks, as four, I beheld eleven. The towns of Lucerne, Stanz, Sarnen, Stanzstad—the lake of the Four Cantons, and the valley of Entlibuch, extended beneath our feet—the Cantons of Lucerne, Schwytz, Uri—a great section of Glaris, of Unterwald, and of the country extending to the Bernese Alps, of which we had also a glorious prospect—and then a part of Zug, Zurich, Aargau, Soleure, Basel; and the Black Forest, were all clearly visible. To detail the sublime picture after having sketched those I beheld from Kamor, and from the Albis, would be extremely tedious. In fact, there would be no end of describing views of Swiss scenery; and we will therefore descend from our elevation to humble plodding life."—iii. 13.

Upon the whole there is much of the useful as well as entertaining in these volumes. The remarks of the author are often acute, and always made in a liberal spirit; and his book may be recommended to all who seek to unite instruction with amusement in their reading.

ART. XIII.—*Journal of a Residence and Tour in the United States of North America, from April 1833 to October 1834.* By E. S. Abdy, Fellow of Jesus College, Cambridge. 5 vols. 8vo. London. Murray, 1835.

MR. ABDY visited America as a philosophic traveller, with a mind well stored, and a ripe judgment. He makes little or no allusion to former publications on the subject; and he avoids repeating those parts of them, with which the British public is already minutely acquainted. There are no lengthy and reiterated panegyrics on the peculiar details of the districts and seasons; no sneers at unimportant and inoffensive national peculiarities. His study was man, in his political and social state;—man as he found him under the laws and customs of the country. And to acquire full knowledge of his subject, he sought and obtained intercourse with men of all degrees and situations in life, from the palmy state of popular Chief Magistrate, to the poor and persecuted outcast, to whom the same people begrudge a hovel on an otherwise unoccupied patch of ground in the wilds of Indiana. Though not in robust health, he endured the 'roughing' necessary to the prosecution of his inquiries, in a degree beyond the experience of his most obtuse precursors. And while this is stated in justice to his zeal in the cause of humanity, it is due to his good taste to add, that he can pass night after night in a

proscribed negro's cabin in the wilderness, without inflicting the pain of a recapitulation of his toilette.

If the reader rises from the perusal of these volumes, with a highly reduced opinion of American intellect and morals, and a strong sense of the insult put upon the Liberals of Europe by the affectation of fraternity with which they have been honoured,—it will be accompanied with an increased hatred of oppression, and increased love of liberty as a principle. With a form of government vastly more favourable for human improvement than that of their English progenitors, the Americans; probably from the effect of climate which has produced so many other variations in the animal kingdom, have gone backward and not forward, and present a caricature of all the worst qualities of the worst Englishmen of the worst times.

The state of the coloured population, bond and free; its influence on the whole population; the existing institutions, and proposed measures for overcoming and alleviating their evils, occupy full half the work. Both in the new and rich accumulation of materials, and in the logical exposition of them, this part of the work is of the highest class of merit. The remainder abounds with valuable matter, relieved and enlightened with highly interesting anecdote.

Mr. Abdy visited most of the New England States. He traversed the whole length of New York State, from Albany to Niagara. He passed through New Jersey and Maryland. He spent great part of his time in Pennsylvania, the district of Columbia, and Virginia. And he visited Kentucky, Ohio and Indiana.

Slavery is so utterly abhorrent to every respectable individual in this country, that it would be waste of argument to reason against its continuance;—while those who have profited by it, like others who have been guilty of nefarious practices, are beyond the pale of reason on the subject. All that can be done, is to present a compendious view of the thing as it exists in America.* A beginning will be made with Virginia.

All the domestic and agricultural, and most of the mechanical labour is done by the coloured people. It is disgraceful for a white man to work. The slaves do not always belong in property to those for whom they labour. Many of them are hired out as mechanics, domestic servants, and common labourers in public and private works, coal pits, iron foundries, salt works, &c.—the hire being paid to their masters or mistresses. In this way slave property forms the most common investment for the fortunes of the ladies and gentlemen of the state;

while some are also held by persons living in what are called the free States. Many negroes pay their masters a rent for their time, from 15% to 20% sterling, and sometimes more, per annum; and for this they are allowed to prosecute some calling on their own account. Such are commonly porters, mechanics, boatmen, fishermen, &c. They are kept as ignorant as possible, of every human event, invention, and faculty, except so far as is necessary to enable them to perform their work. And to this end they are kept at work for as many hours in the day, as their constitution will endure;—though they might perform the same work in a more limited time. They are confined at an early hour after work to their own huts, from which they must not come out, till called to their next day's labour. Nor must any negro be found abroad at night, after curfew, without a written order or 'pass' from his master. To illustrate this subject, it may be sufficient to quote Washington. In his 'Agricultural Notes' (published) addressed to the managers of his farms, he says, 'to request that my *people* may be at their work as soon as it is light, work till it is dark, and be diligent while they are at it, can hardly be necessary, because the propriety of it must strike every manager who attends to my interests. ... The presumption is that every labourer does as much in twenty-four hours, as his strength without endangering his health or constitution will allow.' The slaves are provided generally with the meanest lodging, food, and clothes, that can keep them in health. From their privations, great part of the weakly people die;—which, as Dr. Johnson said of children, is probably one reason of the robustness of the survivors. In the rural districts, along with their hut, they are commonly allowed a small garden; from the produce of which they sometimes feed a pig, and where they raise a few vegetables, part of which they sometimes sell. The money thus obtained is seldom taken from them;—though by law, everything they have belongs to their master. Their security is in the smallness of the sum, with the facility of concealing it; besides their master's honour. A great general advantage is found in the garden system, in so far as it enables the slaves to subsist upon smaller furnishings, and 'keeps them out of mischief' on Sundays, and the few other holidays they are allowed in the year.

'The best of men have ever loved repose.' And the slave is no exception to the general rule, that some stimulus is necessary to induce mankind to labour. When no pecuniary bribe is offered him, he can by no skill in reasoning be shown the moral obligation under which he lies, to exert himself in

behalf of his master. And therefore, the *ultima ratio* of the whip is called in requisition. This is used with less or more discretion, according to the temper, the judgment, the taste, and sometimes perhaps the conscience, of the master or mistress. The ears of the polite families in the towns, are seldom disturbed by the din of this chastisement. The actual infliction is in practice committed to a public officer, commonly some trusty jailor;—the culprit being desired by the master or mistress to carry a note or order to this official person, for which he or she must bring back a regular receipt for the prescribed number of lashes. But it is not every slave-holder that chuses to pay the jailor's fee, or whose passion would brook delay; and there are some masters so notoriously severe, that they meet with slaves of too much spirit to submit to them. There are numerous instances of negroes destroying themselves to escape the cruelties of their masters; and many where the masters are the victims. Mr. Abdy relates an anecdote of a woman who was exposed to sale by auction at the common mart, and who, observing a man noted for cruelty make an offer for her, called aloud—'You may buy me if you like. But if you do, I will cut your throat the first opportunity.' The man trembled with fear and rage. But fear prevailed, and he bid no more.

In what are called the free States, the slaves had generally ceased to be profitable to their masters before their emancipation; in anticipation of which, many of the most valuable were conveyed to the South. In common agricultural labour, where few hands are employed, it costs more to hire an overseer than to pay labourers; and in many parts of Virginia and Maryland, the farmers find, that were it not for the demand in the Southern market, it would be more to their profit to hire labourers when they wanted them, than to keep slaves the whole year. For this, however, they are fully compensated, by selling the families as they spring up, to dealers for the Southern market. And thus, the tearing asunder family ties, the banishment, the mart, the jealous confinement and surveillance of new masters, the whole horrors of the Slave Trade, are brought into active operation in the heart of the United States,—whose citizens the while, expect to sit at table with civilized men, and be treated with more reverence than the kindred barbarian of Ashantee. And so prolific are the slaves in the rural districts of the Northern States, that it is calculated by Professor Dew of William and Mary College Virginia, in his account of the debate on Slavery in the legislature of that State in 1831-2, that not less than six thousand slaves are annually exported to

the South from Virginia alone, without sensibly diminishing the numbers of those left, or interfering with the breeding stock. This is the deliberate statement of a learned Professor of history and political law, in a work which is a sop to the conscience of every defender of Slavery in America;—a work containing all the known arguments for all manner of Slavery, and used by and directed to men of every degree of capacity and attainment.

Bad as is the state of the slaves in the more northern states, they uniformly regard the south with more horror than our thieves at home do the hulks. The loss by death alone, to the Louisiana planters, in bringing slaves from the north, is estimated at 25 per cent. The sugar factories and rice swamps, the slaves know to be rapid and rough high-roads to the grave. And they are well acquainted with the stories of the greater rigour of the southern drivers. It is true that the more respectable Virginian proprietors decline selling their negroes so long as they conduct themselves to their satisfaction, and even make this rule in some degree a point of honour. Some slaves do meet with indulgent and generous masters. But the greater their elevation above their fellows, the greater is the risk of losing by a change. The master's honour is no sufficient guarantee against a slave being brought to market. The newspapers are full of advertisements of slaves, often in great 'gangs,' to be sold by executors. Vast numbers are seized and sold by creditors;—for in some districts of the north, the planters are as much involved in debt as our West-India proprietors. And slaves are daily advertised for sale, for payment of taxes and other small debts; as they form the most readily available and saleable sort of property. Of the numerous advertisements the newspapers present for runaway slaves, a great part are believed to be fabricated to shield the honour of the master, who may have been induced by his necessities or caprice to sell the slave, whose disappearance he thus accounts for. To all this the slaves are keenly alive. Of the numbers of those who 'elope,' much more than an equal proportion are of the most valuable description, and of those who have the most indulgent masters. And no wonder; for they have the best opportunities of seeing and knowing the fate of their brethren. The attempt to escape, however, is extremely hazardous; and the consequence of failure is being sold to a dealer.

The laws of the slave States are conceived with much cunning, to prevent the escape of runaways. They require that every person of colour who claims to be free, be furnished with a sealed certificate from a proper officer of a court in his district,

that he is so. (This certificate is called his 'free paper,' and it must be renewed every year. If a man of colour be met on the road, dusty and way-worn, he may be questioned whence he came, and his 'free paper' may be demanded. In every town of any consideration, and even in the inconsiderable villages, there are men who add the seizing of runaways to the other branches of slave-dealing; the country tavern-keepers being in many instances the most successful in this trade. If one of these vigilant merchants meet with a sable traveller who is not furnished with free papers, he is straightway lodged in jail, and advertised as a probable runaway. If he is claimed, the apprehender expects a reward from the owner. And if the prisoner is not claimed within a given time, (in Virginia a year,) during which he is kept in prison, he is sold to pay expenses.

The presumption of law is, that the coloured man is a slave. And in many of the states, when the free papers are lost or abstracted, this presumption requires to be re-argued by oral personal proof. A certificate from the district court through the post-office will not do, without personal identification. And who, in a slave-holding community, is to advance the necessary expense of conveying witnesses? In this way it is obvious how much it is in the power of an artful and unprincipled dealer to kidnap an unwary individual. In justice to the feelings of the people at large, it must be stated that the estimation of the slave-dealers in general, even in this country of slavery, does not stand higher than midway between our jailor and executioner.

The system of kidnapping is carried on to an extent that the admirers of America in this country have no idea of. That far-famed document, the Constitution, made provision (in 1787) for continuing the slave-trade till 1808, (see Art. I. § 9). And it has further provided, that in case of escape into another State,

'No person held to service or labour in one State, under the laws thereof, shall be discharged from such service or labour, but shall be delivered up, on claim of the party, to whom such service or labour may be due. — (Art. iv. § 2.)

'To talk of a slave's labour,' says Mr. Abdy, 'being due to his master, is to insult common sense and common decency. While the latter can coin dollars out of the sweat and tears of his victim, he will do so. "The law allows it, and the court awards it." It is this clause, however, in the Constitution, which renders the free States tributaries to the ambition of the slave States, and accessories to all their guilt;—makes the boasted asylum of the persecuted, the prison-house of the unfortunate; and converts the guardians of liberty, into the turnkeys of its assassins.'

In another place he says,—

'The manumission society of New York rescued—between 1810

and 1817,—292 free persons from the horrors of slavery. The kidnapper, however, still carries on his trade ; 'as the slaver laughs at our boast of having snatched from his clutches no less than 26,506 victims, from January 1, 1827, to January 1, 1833.'

In the city of Washington, and within a few hundred yards of the '*Capitol*,'—is the private jail of one of the professors of this horrid traffic. Mr. Abdy details several cases of kidnapping in Washington and in Philadelphia ;—adding his persuasion, that the thing is of the most frequent occurrence. Numerous and heart-rending are the cases, in New York and in all the chief cities, of people being claimed as slaves, after long and creditable portions of life spent, good character established, and domestic comforts formed. On the borders of the Ohio, the thing is carried on in a more audacious manner. The victims are seized, overpowered, pinioned, gagged, and shipped,—all by force. It signifies nothing what tale they tell when they reach the South. The truth from them is confounded with the adopted story of the refractory. The presumption of law is against them. Their enemies are their judges. And they are consigned with those who have been longer enslaved, to their fate.

The scene in the slave-market needs not be described at length. Children of three and five years of age, *are publicly sold by weight* : the former at three-and-a-half dollars, the latter at four-and-a-half per pound ; in the presence of their mothers who are wringing their hands in unutterable anguish. But the most common form of sale is by auction, the subjects being exposed on a table, to which they are brought from a jail in which they are kept for custody and inspection. The scene does not pass in a corner. The youth in America partake in its excitement, and draw their own moral. All the States on the lower part of the Mississippi and south of Carolina, import slaves. Part of them after being bought, are carried directly down by sea ; part are marched by land to the Ohio, and there embarked in steam-boats, or in barges or arks.

Their journey by land is arranged thus. The young women and boys form the advance of the party, walking unfettered. Then follow the stout men, attached together by a single strong chain, to which they are fastened, sometimes by the wrist, sometimes by the waist, sometimes by the neck ; the smaller chain by which each is fastened to the main chain, being transferred occasionally from one part of the body to another to prevent chafing. The attendants or drivers of the party walk generally with the men ; they do not, usually during day exhibit any arms upon the road, beyond their heavy professional whips. The rear is brought up by the weaker men, who drive waggon

containing the mothers and children. These waggons are usually much crowded! The party 'camp out' at night. And it adds to the severity of the journey, that, in most cases, the men can never for an instant be trusted clear of the chain. Their last march,—their arrival within view of what they have heard called a free State,—is considered an eventful time; and to prevent accidents, they are generally handcuffed at this time, and during their embarkation. After this they are conveyed down the Ohio and the Mississippi, sometimes in steam-boats, sometimes in flat boats or arks. The miseries attending the whole transition, in a climate of such variable temperature as America, may be easily conceived.

It is horrible to proceed coolly to contemplate the mart again,—the second act of separation,—the breaking up of the new and melancholy tie of the fellow travellers, voyagers, and sufferers. If they retained any idea of a connexion with humanity on their arrival, the 'gang negroes' in the market of New Orleans must feel its last link to yield, and all but the last gleam of hope extinguished within them. Yet here—in spite of treaties—they meet with fellow-sufferers from foreign countries, in as bad a condition as their own. Here Mr. Abdy must speak.

'The way in which this traffic is carried on is as follows:—An agent is despatched to Cuba or to Africa, for the purpose of purchasing slaves for the United States. As soon as the vessel arrives with its cargo off the Balize, the agent proceeds to New Orleans and gives notice to the authorities of her arrival with an illegal freight. Proceedings are instituted against her, and, on her condemnation, the slaves are sold by public auction, at a price considerably below their real value. The purchaser is, by previous agreement, the importer; and half the proceeds are pocketed by the informer; the other belonging to the general government. Not less than 10,000 were thus introduced in one year (1818). The statement was contradicted by a writer in the "Federal Republican," though his admission, that one sale had taken place in pursuance of the law on the subject, at prices amounting to 1,000 dollars a-head (these prices were most likely nominal only), fully justifies any suspicion with regard to the fraud and collusion practised. . . . In 1818, the collector of the Customs at Darien delivered over to the governor of Georgia 91 captured slaves; the secretary of the treasury (Mr. Crawford) not having favoured him with any reply to a letter he wrote to him on the subject.'

'Since the law has undergone an alteration, evasion must find some other way to defeat its intentions.'—ii. 160.

A single instance may be quoted as a sample of the useless and capricious cruelties to which the slaves are subject, and of the evidence on which these are narrated.

'The "Mercantile Advertiser" of that city, (New Orleans), after stating that a fire had broken out in a house, where several slaves were supposed to be confined in chains, adds, "the crowd rushed into their deliverance, and amongst others, Mr. Canonge, Judge of the Criminal Court, who demanded of Mr. and Mrs. Lalaurie where these poor creatures were kept, which they obstinately refused to disclose, when Mr. Canonge, with a manly and, praiseworthy zeal, rushed into the kitchen, which was on fire, followed by two or three young men, and brought forth a negro woman, found there chained." She was covered with bruises and wounds from severe flogging. All the apartments were then forced open. In a room on the ground-floor, two more were found chained, and in a deplorable condition. Up stairs, and in a garret, four more were found chained; some so weak as to be unable to walk, and all covered with wounds and sores. One, a mulatto boy, declared himself to have been chained for five months, being fed daily with only a handful of meal, and receiving every morning the most cruel treatment." I was informed by persons who were there at the time, that these poor creatures were gagged, to prevent their cries; that the perpetrators of these enormities were never punished; and that, when the excitement of the moment was over, public opinion threw obstacles in the way of justice, and palliated what had been done. The Judge afterwards published a deposition, that "all the persons present were apparently indifferent to the result."—ii. 392.

'I heard so many accounts,' says Mr. Abdy, 'of the frauds and the cruelties exercised upon these unoffending people, that I felt sick at heart, and disgusted with human nature. Some of them are too revolting to be detailed—men selling their own daughters for the vilest purposes, and women envenoming themselves by the vices and thefts of their slaves.'—ii. 391.

Now, what must be the effect of all this on society! And it has its support and habitation even in places called holy. It is not uncommon for churches to hold property in slaves. 'Gangs' of them are bequeathed to religious societies for 'pious uses.' The proceeds of their labour are appropriated to the repairs of the buildings, and other expenses connected with the congregation. In the advertisements of slaves for sale, it is no uncommon recommendation to say, that there are several 'pious servants' among them. On the one hand the whites deny the claim of the blacks to be ranked among human beings;—on the other, an increasing cloud of witnesses arises, in their brown progeny, to belie their excuse. They live and move and have their being in a false predicament. The debauchee feels no redeeming point of honour, to induce him to inquire after his progeny. The master of the mother, has the burden and the profit. Profligacy reigns triumphant and unreprieved. And

they who are called the ministers of religion, are guilty of their full proportion of the social crime.

This is not confined to the Slave States. Such scenes as the following can occur in the humane, the enlightened, the friendly city of Philadelphia. Describing a southern lady and her only child, a boy of nine years of age, who were inmates of the same boarding-house with the author in that city, he says,—

'The boy, was suffered to run about the house without any one to instruct or direct him, teasing the children and servants, and calling out for the unfortunate girl who administered to his wants and whims, — "Where is my slave? Where is my negro? She is my negro! She is my slave!" While the "property" he thus claimed was sedulously employed in making or mending the body-linen of the family with no small degree of taste and skill, the little tyrant would spit in her face, and threaten, if she remonstrated with him, to complain of her to his parents. Had he committed any fault, or been thwarted of any indulgence, a lie to his mother brought him a sympathizer with his complaints, and an avenger of his wrongs. A threat that he would not visit her sick room, (for she was an invalid) made him the master of her will. With such a disposition he was dreaded by the black girl, and detested by the children for his malice and falsehood. In short he was an insufferable plague to all who came near him, and had fair to be a curse to his parents and a scourge to society.'—iii. 343.

What promising adolescence! what an infant school! And what a moral influence, must such things have on the rising generations of Philadelphia and the other 'free cities' where they occur! It is unpolite to hint at the existence of slavery before Southerners. Slaves are always termed 'servants' by polite persons, in the South as well as in the North; the real name is never given. A merchant in the northern and eastern cities cannot express a thoroughly liberal sentiment, on the subject of slavery, without offending his most valuable correspondents. The thing is too much for their virtue. The idea of emancipation is too romantic for their practical conception.

The position of the coloured people in some of the free states is truly dreadful. Their only intercourse with the whites is in the lowest servile capacity; not as fellow servants, for the white servants decline their society; but as something meaner than the meanest white person they meet. In Ohio the evidence of a man of colour cannot be taken in a court of justice against a white man. Hence the coloured settlers are subject to constant visitation and plunder. It is of no use to catch a white thief in the act;—if none but people of colour have seen, he cannot be convicted. But if he have an accomplice also white, the two together can get up 'a good case' of assault, against the

man they have injured, by dividing the two characters of prosecutor and witness, in the event of his effecting a rescue of his property. This however is on the Ohio, in the States next to the Slave States. But the prejudice ranges even to New England; to illustrate which will be quoted an anecdote which the author relates on the authority of one of the sons of the late celebrated John Jay.

'About ten years ago a vessel belonging to a Rhode-Islander was seized and condemned for having been engaged in the slave-trade. No buyer, however, could be found, when the sale took place, among his fellow-citizens; till the confiscated goods were at last purchased by a Bostonian, who had come from Massachusetts for the express purpose. Such was the general indignation against this man for daring to brave public opinion, which had manifested itself so strongly in favour of the slave-trader, that he was seized by the people, who had assembled on the occasion, and his ears were cut off.'—iii. 311.

When such is the feeling in favour of the slave-trader, what must it be towards the objects of his traffic.

But Mr. Abdy's opinion of the moral powers and faculties of the coloured people has been formed on an investigation so severe and often perilous;—for besides subjecting himself to great inconveniences and some indignities in searching out their habitations in the free States and cities, in order to have more unrestrained conversation with them he went to their houses, even in Richmond, by stealth and in the night;—and his conclusion is so enlightened and important,—that it must be given in his own words.

'I can truly and honestly declare, he says, that the orderly and obliging behaviour I observed among them, the decent and comfortable arrangements I witnessed in their houses—the anxiety they expressed for the education of their children, and their own improvement—the industry which was apparent in all about them, and the intelligence which marked their conversation—their sympathy with one another, and the respect they maintained for themselves—the absence of vindictive feeling against the whites, and the gratitude they evinced towards every one who treats them with common civility and regard,—far surpassed the expectation I had formed, of finding among them something more elevated than the instinct of monkeys united to the passions of men. They are "not only almost but altogether such as" the white man—except the bonds he has fastened on their bodies or their minds.'—iii. 88.

So extensive, however, is the brown population, and so varied are tints of complexion, that not only are there many slaves who are not distinguishable from whites,—for the children of slave mothers are slaves to all generations, though the father at every step may have been white,—but there are actually many

instances of slaves being liberated, on their proving that they were full-bred white persons, and had been kidnapped in their youth and sold. The fairest-complexioned slaves often bring the highest price, being preferred as body servants.

Notwithstanding the remarkable celerity of increase in the white population of America, the coloured population is increasing with still greater rapidity. Already they amount to about a fifth part of the population of the United States. That is, they are as one to four of the whites. It has always been an object of great solicitude with the more humane and philosophic of the Americans, to provide against the consequences. Mr. Jefferson, in 1787, in framing the Constitution, proposed to provide that slavery should be abolished, and that some foreign place should be provided to which the coloured people might be conveyed. But this proposal did not meet with the approval of the Convention. The evil, however, has extended vastly, as might have been anticipated, since that time. It may be confidently hoped, that it is now too late to set about transplanting the coloured population. Despised and degraded as they are, they are between two and three millions. They are more than the whole population of Scotland; and more than the whole white Americans were, when they established their independence. They pervade the whole of the States, and they surround them. They work for lower wages than the white men; hence their persecution in the cities, and the riots for their destruction. These, however, only tend to the further reduction of wages, as masters require a stronger temptation to brave the unpopularity of employing the coloured people. The white men migrate to the west. 'But they will not escape,' says Mr. Abdy, 'even in the wilderness; the horrid black man will find them out.'

Mr. Abdy having arrived at the conclusion, which no man ever better prepared himself to judge of, that the people of colour have the same moral constitution with other human beings, has no idea of stopping short in conceding to them the same political and social rights. He is full of just indignation at the New Englanders for their laws against their introduction and education. He gives a detailed statement of the persecution of a lady of the name of Crandall, who, in defiance of prejudice, established a school in the village of Canterbury, for the education of young women of colour. The then existing law against the bringing of coloured persons into the State, was said to be too severe for application, and a new law was passed by the legislature, under which Miss Crandall was prosecuted for an 'offence' committed, or at least commenced, before the

passing of the Act. This unfortunate lady, besides being prosecuted in the courts of law to her great cost, was persecuted and proscribed at home to such a degree, that though assaults accompanied with great violence were made on her house, the public functionaries refused to investigate her complaints; the medical practitioners refused to visit the sick in her establishment; and when she was about to be married, even the clergyman of the village, who had published the banns, and who had promised to perform the marriage ceremony 'if Providence would permit him,' when the day came wrote her a note, declining to officiate 'under existing circumstances.' This zealous lady, who is known and esteemed by Mr. Abdy, has at length been driven from her home, by a series of the most combined, inveterate, and general persecution.

In the course of his investigations, Mr. Abdy procured letters to the celebrated divine, Dr. Channing of Boston. From him he seems to have anticipated meeting with some sympathy with his views. But he was woefully disappointed; Dr. Channing is a moralist and a philosopher *à l'Américaine*. He found the Doctor preoccupied with the belief, that the whole of the coloured race were remarkable for their want of sympathy with each other's misfortunes. All who had come under his own observation were men of indifferent character; and he had been informed by a correspondent in Philadelphia (such was the way the Doctor put it), that the generality of those of African descent in that city were degraded to the lowest state. This was in direct contradiction to Mr. Abdy's own experience and knowledge. His book abounds with evidence of the generosity, kindness, fidelity, honour, self-sacrifice, and respectability of these people,—of their spending lives in working out the liberation of their friends and families;—and he could by no means be satisfied with the extent or mode of the Doctor's inquiry into his facts. Mr. Abdy had inquired for himself; Doctor Channing was content with what he saw by accident, and with the interested report of his corrupt and despicable countrymen.

Throughout his tour Mr. Abdy was by no means fastidious. When among the coloured people, he freely ate and drank with them, as well the wealthier (for he tells of such, with much wealth and great comforts,) as with those in humble circumstances. But he parted from the Doctor without tasting his salt, though he had taken a formidable drive into the country to visit him. The discussion, of which he gives an account, is long and highly interesting; Mr. Abdy condemning the system of separating the races through life, the

Doctor defending it. 'The most striking feature of the discussion,' says Mr. Abdy, 'was the attempt of a philosopher to find, in the extent and intensity of a prejudice, a reason for its continuance—to confound the subject of superstition with its victim.' When Mr. Abdy found the conversation taking a turn that did not please him, he took an early opportunity of announcing that he intended to publish. The system of detailing to the world the crude thoughts of individuals, expressed in familiar intercourse and in unguarded moments, has been carried to a reprehensible length of late, in works bearing some resemblance to the present; but Mr. Abdy steered pretty clear of any breach of hospitality. Dr. Channing is a public character; the subject was one of public, moral, and religious interest, and he spoke on his guard upon it.

The corrupt state of the public press in America, has met with the reprehension of almost all travellers in that country. Our Tories at home are glad to ascribe its errors to its freedom. They seem, in truth, to have a directly opposite origin. The poisoned arrow of slavery sticks in the side even of the press. According to Mr. Abdy, the Southern planters think it worth their while to buy up the interest of the principal papers in New York, and thus convert the advocates who should plead the cause of freedom, into the apologists and tools of oppression.

It is impossible, without pain, to read Mr. Abdy's account of the state of morality exhibited in the city of Washington. Wherever 'thrift may follow lawning,' that courtly vice will prevail. The management of the public service is fruitful in jobs. Even the business of legislation does not keep all its practitioners above the most discreditable devices. Members of Congress are paid eight dollars a-day for attendance, and eight dollars for every twenty miles they have to travel from their homes to Washington. It was reported a few years ago, by a Committee of Congress who inquired into some alleged abuses on this subject, that different members had taken advantage of steam-boat travelling, to alter the proper mode of computation, which is by the common road; and that by computing the sinuosities of rivers, the Government had been overcharged, in one instance, more than 100 per cent in mileage. A 'Mr. Benton, of the Senate, made a "constructive" journey from Washington to St. Louis and back during the night of March 3, 1825,—while lying in his bed at the former place; and charged for his mileage about 2,000 dollars. Mr. Lyons from Kentucky "bagged" 276 dollars more than his due.' Another mean source of profit has been found by some members, in the sale of books, which they vote to themselves from the Treasury for their instruction and edification.

'There is a greater regard for decency, even in Paris,' says Mr. Abdy, 'than in Washington.' Lottery offices, gaming houses, tippling taverns, and harbours for all manner of vicious practices abound. Disgusting prints are openly exhibited. It seems unfortunate that the seat of government was not fixed in some large city, having an extent of trade to employ a respectable population, who might have formed a cloak to this discreditable scene. Philadelphia was left on account of the jealousy of the Southerners, who feared for the contamination of their 'servants' during a winter's residence in a 'free' city.

Liberal institutions, while their tendency is to inspire corresponding sentiments, are useless without them. While Mr. Abdy is fully alive to this, he is as liberal in his views of trade as of politics. He points out with forcible clearness, how our own government and that of America are mutually punishing the two countries by short-sighted restrictions and exclusions, and how each might find profit in a free trade, which its refusal has afforded to neither.

'The Americans,' he says, 'are trying to force manufactures, forgetting that their perfection too often proceeds from the low value of human labour, and is accompanied with a large mass of human misery. An exhibition of hot-house skill may gratify national pride; but national wealth would increase by the same industry, if left to itself, which, when employed in erecting pyramids, impoverishes the country it embellishes. The phrase "American system," like the words "patriotic" and "conservative," acts as a charm on those whose sentiments are in accordance with the presumed correctness of the idea to be conveyed.'

Mr. Abdy's book reads a moral lesson to the American people which can not be too much insisted on. It is the right of the civilized world, to combine in placing them in quarantine till they are less discreditable to their ancestors. Will any Englishman sit at meat, with a nation that *sell one another by weight*?

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ART. I.
CIVILIZATION.

THE word civilization, like many other terms of the philosophy of human nature, is a word of double meaning. It sometimes stands for *human improvement* in general, and sometimes for *certain kinds* of improvement in particular.

We are accustomed to call a country more civilized if we think it more improved; more eminent in the best characteristics of Man and Society; further advanced in the road to perfection; happier, nobler, wiser. This is one sense of the word civilization. But in another sense it stands for that kind of improvement only which distinguishes a wealthy and populous nation from savages or barbarians. It is in this sense that we may speak of the vices or the miseries of civilization; and that the question has been seriously propounded, whether civilization is on the whole a good or an evil? Assuredly we entertain no doubt on this point, we hold that civilization is a good, that it is the cause of much good, and is not incompatible with any; but we think there is other good, much even of the highest good, which civilization in this sense does not provide for, and some which it has a tendency (though that tendency may be counteracted) to impede.

The inquiry, into which these considerations would lead us, is calculated to throw light upon many of the characteristic features of our time. The present era is pre-eminently the era of civilization, in the narrow sense; whether we consider what has already been achieved, or the rapid advances making towards still greater achievements. We do not regard the age as either equally advanced or equally progressive in many of the other kinds of improvement. In some it appears to us stationary, in some even retrograde. Moreover, the consequences, the irresistible consequences of a state of advancing civilization; the new position in which that advance has placed, and is every day more and more placing mankind, the entire inapplicability of old rules to this new position, and the necessity, if we would either realize the

benefits of the new state or preserve those of the old, that we should adopt many new rules, and new courses of action; are topics which seem to require a more comprehensive examination than they have usually received.

We shall in the present article invariably use the word civilization in the narrow sense: not that in which it is synonymous with improvement, but that in which it is the direct converse or contrary of rudeness or barbarism. Whatever be the characteristics of what we call savage life, the contrary of these, or rather the qualities which society puts on as it throws off these, constitute civilization. Thus, a savage tribe consists of a handful of individuals, wandering or thinly scattered over a vast tract of country: a dense population, therefore, dwelling in fixed habitations, and largely collected together in towns and villages, we term civilized. In savage life there is no commerce, no manufactures, no agriculture, or next to none; a country rich in the fruits of agriculture, commerce, and manufactures, we call civilized. In savage communities each person shifts for himself, except in war (and even then very imperfectly) we seldom see any joint operations carried on by the union of many; nor do savages find much pleasure in each other's society. Wherever, therefore, we find human beings acting together for common purposes in large bodies, and enjoying the pleasures of social intercourse, we term them civilized. In savage life there is little or no law, or administration of justice, no systematic employment of the collective strength of society, to protect individuals against injury from one another, every one trusts to his own strength or cunning, and where that fails, he is without resource. We accordingly call a people civilized, where the arrangements of society, for protecting the persons and property of its members, are sufficiently perfect to maintain peace among them; i. e. to induce the bulk of the community to rely for their security mainly upon the social arrangements, and renounce for the most part, and in ordinary circumstances, the vindication of their interests (whether in the way of aggression or of defence) by their individual strength or courage.

These ingredients of civilization are various, but consideration will satisfy us that they are not improperly classed together. History, and their own nature, alike show, that they begin together, always coexist, and accompany each other in their growth. Wherever there has introduced itself sufficient knowledge of the arts of life, and sufficient security of property and person, to render the progressive increase of wealth and population possible, the community becomes and continues progressive in all the elements which we have just enumerated. All these elements

exist in modern Europe, and especially in Great Britain, in a more eminent degree, and in a state of more rapid progression, than at any other place or time. We shall attempt to point out some of the consequences which that high and progressive state of civilization has already produced, and of the further ones which it is hastening to produce.

The most remarkable of those consequences of advancing civilization, which the state of the world is now forcing upon the attention of thinking minds, is this: that power passes more and more from individuals, and small knots of individuals, to masses: that the importance of the masses becomes constantly greater, that of individuals less.

The causes, evidences, and consequences of this law of human affairs, well deserve attention.

There are two elements of importance and influence among mankind: the one is, property; the other, powers and acquirements of mind. Both of these, in an early stage of civilization, are confined to a few persons. In the beginnings of society, the power of the masses does not exist; because property and intelligence have no existence beyond a very small portion of the community, and even if they had, those who possessed the smaller portions would be, from their incapacity of co-operation, unable to cope with those who possessed the larger.

First, as to property: In the more backward countries of the present time, and in all Europe at no distant date, we see property entirely concentrated in a small number of hands; the remainder of the people being, with few exceptions, either the military retainers and dependents of the possessors of property, or serfs, stripped and tortured at pleasure by one master, and pilaged by a hundred. At no period could it be said that there was literally no middle class—but that class was extremely feeble, both in numbers and in power: while the labouring people, absorbed in manual toil, with difficulty earned, by the utmost excess of exertion, a more or less scanty and always precarious subsistence. The character of this state of society was the utmost excess of poverty and impotence in the masses; the most enormous importance and uncontrollable power of a small number of individuals, each of whom, within his own sphere, knew neither law nor superior.

We must leave to history to unfold the gradual rise of the trading and manufacturing classes, the gradual emancipation of the agricultural, the tumults and *bouleversements* which accompanied these changes in their course, and the extraordinary alterations in institutions, opinions, habits, and the whole of social

life, which they brought in their train. We need only ask the reader to form a conception of the vastness of all that is implied in the words, growth of a middle class; and then bid him reflect upon the immense increase of the numbers and property of that class throughout Great Britain, France, Germany, and other countries in every successive generation, and the novelty of a labouring class receiving such wages as are now commonly earned by nearly the whole of the manufacturing, that is, of the most numerous portion of the operative classes of this country—and ask himself whether, from causes so unheard of, unheard of effects ought not to be expected to flow. It must at least be evident, that, as civilization advances, property and intelligence become thus widely diffused among the millions, it must also be an effect of civilization, that the portion of either of these which can belong to an individual must have a tendency to become less and less influential, and all results must more and more be decided by the movements of masses; provided that the power of combination among the masses keeps pace with the progress of their resources. And that it does so who can doubt? There is not a more accurate test of the progress of civilization than the progress of the power of co-operation.

Look at the savage: he has bodily strength, he has courage, enterprise, and is often not without intelligence; what makes all savage communities poor and feeble? The same cause which prevented the lions and tigers from long ago extirpating the race of men—incapacity of co-operation. It is only civilized beings who can combine. All combination is compromise: it is the sacrifice of some portion of individual will, for a common purpose. The savage cannot bear to sacrifice, for any purpose, the satisfaction of his individual will. His impulses cannot bend to his calculations. Look again at the slave: he is used indeed to make his will give way; but to the commands of a master, not to a superior purpose of his own. He is wanting in intelligence to form such a purpose; above all, he cannot frame to himself the conception of a fixed rule: nor if he could, has he the capacity to adhere to it; he is habituated to control, but not to self-control; when a driver is not standing over him with a cart-whip, he is found more incapable of withstanding any temptation, or restraining any inclination, than the savage himself.

We have taken extreme cases, that the fact we seek to illustrate might stand out more conspicuously. But the remark itself applies universally. As any people approach to the condition of savages or of slaves, so are they incapable of acting in concert. Look even at war, the most serious business of a barbarous people; see what a figure rude nations, or semicivilized and en-

slaved nations, have made against civilized ones, from Marathon downwards. Why? Because discipline is more powerful than numbers, and discipline, that is, perfect co-operation, is an attribute of civilization. To come to our own times, read Napier's History of the Peninsular War; see how incapable half-savages are of co-operation. Amidst all the enthusiasm of the Spanish people struggling against Napoleon, no one leader, military or political, could act in concert with another; no one would sacrifice one iota of his consequence, his authority, or his opinion, to the most obvious demands of the common cause; neither generals nor soldiers could observe the simplest rules of the military art. If there be an interest which one might expect to act forcibly upon the minds even of savages, it is the desire of simultaneously crushing a formidable neighbour whom none of them are strong enough to resist single-handed; yet none but civilized nations have ever been capable of forming an alliance. The native states of India have been conquered by the English one by one; Turkey made peace with Russia in the very moment of her invasion by France; the nations of the world never could form a confederacy against the Romans, but were swallowed up in succession, some of them being always ready to aid in the subjugation of the rest. Enterprises requiring the voluntary co-operation of many persons independent of one another, in the hands of all but highly civilized nations, have always failed.

It is not difficult to see why this incapacity of organized combination characterizes savages, and disappears with the growth of civilization. Co-operation, like other difficult things, can be learnt only by practice: and to be capable of it in great things, a people must be gradually trained to it in small. Now the whole course of advancing civilization is a series of such training. The labourer in a rude state of society works singly, or if several are brought to work together by the will of a master, they work side by side, but not in concert; one man digs his piece of ground, another digs a similar piece of ground close by him. In the situation of an ignorant labourer, tilling even his own field, with his own hand, and seeing no one except his wife and his children, what is there that can teach him to co-operate? The division of employments—the accomplishment by the combined labour of several, of tasks which could not be achieved by any number of persons singly—is the great school of co-operation. What a lesson, for instance, is navigation, as soon as it passes out of its first simple stage—the safety of all, constantly depending upon the vigilant performance by each, of the part peculiarly allotted to him in the common task. Military operations, when not wholly undisciplined, are a similar school; so are all the operations of commerce and

manufactures which require the employment of many hands upon the same thing at the same time. By these operations, mankind learn the *value* of combination; they see how much and with what ease it accomplishes, which never could be accomplished without it; they learn a practical lesson of submitting themselves to guidance, and subduing themselves to act as interdependent parts of a complex whole. A people thus progressively trained to combination by the business of their lives, become capable of carrying the same habits into new things. For it holds universally, that the one only mode of learning to do anything, is actually doing something of the same kind under easier circumstances. Habits of discipline once acquired, qualify human beings to accomplish all other things for which discipline is needed. No longer either spurning control, or being incapable of seeing its advantages, whenever any object presents itself which can be attained by co-operation, and which they see or believe to be beneficial, they are ripe for attaining it.

The characters, then, of a state of high civilization being the diffusion of property and intelligence, and the power of co-operation; the next thing to observe is the astonishing development which all these elements have assumed of late years.

The rapidity with which property has accumulated and is accumulating in the principal countries of Europe, but especially in this island, is obvious to every one. The capital of the industrious classes overflows into foreign countries, and into all kinds of wild speculations. The amount of capital annually exported from Great Britain alone, surpasses probably the whole wealth of the most flourishing commercial republics of antiquity. But the capital, collectively so vast, is composed almost entirely of small portions; very generally so small, that the owners cannot, without other means of livelihood, subsist upon the profits of them. While such is the growth of property in the hands of the mass, the circumstances of the higher classes have undergone nothing like a corresponding improvement. Many large fortunes have, it is true, been accumulated, but many others have been wholly or partially dissipated; for the inheritors of immense fortunes, as a class, always live at least up to their incomes when at the highest, and the unavoidable vicissitudes of those incomes are always sinking them deeper and deeper into debt. The English landlords, as they themselves are constantly telling us, are a bankrupt body, and the real owners of the bulk of their estates are the mortgagees. In other countries the large properties have very generally been broken down; in France, by revolution, and the revolutionary law of inheritance; in Prussia, by successive edicts of that substantially democratic, though nominally absolute government.

With respect to knowledge and intelligence, it is the truism of the age that the masses, both of the middle and even of the working classes, are treading upon the heels of their superiors.

If we now consider the progress made by those same masses in the capacity and habit of co-operation, we find it equally surprising. At what period were the operations of productive industry carried on upon anything like their present scale? Were so many hands ever before employed at the same time upon the same work, as now in all the principal departments of manufactures and commerce? To how enormous an extent is business now carried on by joint stock companies—in other words, by many small capitals thrown together to form one great one. The country is covered with associations. There are societies for political, societies for religious, societies for philanthropic purposes. But the greatest novelty of all is the spirit of combination which has gone forth among the working classes. The present age has seen the commencement of benefit societies; and they now, as well as the more questionable 'Trades' Unions, overspread the whole country. A more powerful, though not so ostensible, instrument of combination than any of these, has but lately become universally accessible—the newspaper. The newspaper carries the voice of the many home to every individual among them; by the newspaper, each learns that all others are feeling as he feels, and that if he is ready, he will find them also prepared to act upon what they feel. The newspaper is the telegraph which carries the signal throughout the country, and the flag round which it rallies. Hundreds of newspapers, speaking in the same voice at once, and the rapidity of communication afforded by improved means of locomotion, were what enabled the whole country to combine in that simultaneous, energetic demonstration of determined will which carried the Reform Act. Both these facilities are on the increase, every one may see how rapidly; and they will enable the people on all decisive occasions to form a collective will, and render that collective will irresistible.

To meet this wonderful development of physical and intellectual power on the part of the masses, can it be said that there has been any corresponding quantity of intellectual power or moral energy unfolded among those individuals or classes who have enjoyed superior advantages? No one, we think, will affirm it. There is a great increase of humanity, a decline of bigotry, and of many of the repulsive qualities of aristocracy, among our conspicuous classes; but there is, to say the least, no increase of shining ability, and a very marked decrease of vigour and energy. With all the advantages of this age, its facilities for mental cultivation, the incitements and the rewards which it holds

out to exalted talents, there can scarcely be pointed out in the European annals any stirring times, which have brought so little that is distinguished, either morally or intellectually, to the surface.

That this, too, is no more than was to be expected from the tendencies of civilization, when no attempt is made to correct them, we shall have occasion to show presently. But even if civilization did nothing to lower the eminences, it would produce an exactly similar effect by raising the plains. When the masses become powerful, an individual, or a small band of individuals, can be nothing except by influencing the masses; and to do this becomes daily more difficult, and requires higher powers, from the constantly increasing number of those who are vying with one another to attract the public attention. Our position, therefore, is established, that by the natural growth of civilization, power passes from individuals to masses, and the weight and importance of an individual, as compared with the mass, sink into greater and greater insignificance.

The change which is thus in progress, and to a great extent consummated, is the greatest ever recorded in human affairs; the most complete, the most fruitful in consequences, and the most irrevocable. Whoever can meditate upon it, and not see that so great a revolution vitiates all existing rules of government and policy, and renders all practice and all predictions grounded only upon prior experience worthless, is wanting in the very first and most elementary principle of statesmanship in these times.

'Il faut,' as M. de Tocqueville has said, 'une science politique nouvelle à un monde tout nouveau.' The whole face of society is reversed—all the natural elements of power have definitively changed places, and there are people who talk to us of standing up for ancient institutions, and the duty of sticking to the British Constitution settled in 1688! What is still more extraordinary, these are the people who accuse others of disregarding variety of circumstances, and imposing their abstract theories upon all states of society without discrimination.

We put it to those who call themselves Conservatives, whether, when the whole power in society is passing into the hands of the masses, they really think it possible to prevent the masses from making that power predominant as well in the government as elsewhere? The triumph of democracy, or, in other words, of the government of public opinion, does not depend upon the opinion of any individual or set of individuals that it ought to triumph, but upon the natural laws of the progress of wealth, upon the diffusion of reading, and the increase of the facilities of human intercourse. If Lord Kenyon or the Duke of Newcastle could stop these,

they might accomplish something. There is no danger of the prevalence of democracy in Syria or Timbuctoo. But he must be a poor politician who does not know, that whatever is the growing power in society will force its way into the government, by fair means or foul. The distribution of constitutional power cannot long continue very different from that of real power, without a convulsion. Nor, if the institutions which impeded the progress of democracy could be by any miracle preserved, could even they do more than render that progress a little slower. Were the constitution of Great Britain to remain henceforth unaltered, we are not the less under the dominion, becoming every day more irresistible, of public opinion.

With regard to the advance of democracy, there are two different positions which it is possible for a rational person to take up, according as he thinks the masses prepared, or unprepared, to exercise the control which they are acquiring over their destiny, in a manner which would be an improvement upon what now exists. If he thinks them prepared, he will aid the democratic movement; or if he deem it to be proceeding fast enough without him, he will at all events refrain from resisting it. If, on the contrary, he thinks the masses unprepared for complete control over their government—seeing at the same time that, prepared or not, they cannot be prevented from acquiring it—he will exert his utmost efforts in contributing to prepare them; using all means, on the one hand, for making the masses themselves wiser and better; on the other, for so rousing the slumbering energy of the opulent and lettered classes, so storing the youth of those classes with the profoundest and most valuable knowledge, so calling forth whatever of individual greatness exists or can be raised up in the country, as to create a power which might partially rival the mere power of the masses, and might exercise the most salutary influence over them for their own good. When engaged earnestly in works like these, one can understand how a rational person might think that in order to give more time for the performance of them, it were well if the current of democracy, which can in no sort be stayed, could be prevailed upon for a time to flow less impetuously. With Conservatives of this sort, all Radicals of corresponding enlargement of view, could fraternize as frankly and cordially as with many of their own friends: and we speak from an extensive knowledge of the wisest and most high-minded of that body, when we take upon ourselves to answer for them, that they would never push forward their own political projects in a spirit or with a violence which could tend to frustrate any rational endeavours towards the object nearest their hearts, the instruction of the understandings and the elevation of the characters of all classes of their countrymen.

But who is there among the political party calling themselves Conservatives, that professes to have any such object in view? Is there one who seeks to employ the interval of respite which he might hope to gain by withstanding democracy, in qualifying the people to wield the democracy more wisely when it comes? Is there one who would not far rather resist any such endeavour, on the principle that knowledge is power, and that its further diffusion would make the dreaded evil come sooner? Again, is there a Conservative in either house of parliament who feels that the character of the higher classes needs renovating, to qualify them for a more arduous task and a keener strife than has yet fallen to their lot? Is not the character of a Tory lord or country gentleman, or a Church of England parson, perfectly satisfactory to them? Is not the existing constitution of the two Universities—those bodies whose especial duty it was to counteract the debilitating influence of the circumstances of the age upon individual character, and to send forth into society a succession of minds, not the creatures of their age, but capable of being its improvers and regenerators—the Universities, by whom this their especial duty has been basely neglected, until, as is usual with all neglected duties, the very consciousness of it as a duty has faded from their remembrance,—is not, we say, the existing constitution, and the whole existing system of these Universities, down to the smallest of their abuses, the exclusion of Dissenters, a thing for which every Tory, though he may not as he pretends die in the last ditch, will at least vote in the last division? The Church, professedly the other great instrument of national culture, long since "perverted (we speak of rules, not exceptions) into the great instrument of preventing all culture, except the inculcation of obedience to established maxims and constituted authorities—what Tory has a scheme in view for any changes in this body, but such as may pacify assailants, and make the institution wear a less disgusting appearance to the eye? What political Tory will not resist to the very last moment any alteration in that Church, which will prevent its livings from being the provision for a family, its dignities the reward of political or of private services? The Tories, those at least connected with parliament or office, do not aim at having good institutions, or even at preserving the present ones: their object is to profit by them while they exist.

We scruple not to express our belief that a truer spirit of Conservation, as to everything good in the principles and professed objects of our old institutions, lives in many who are determined enemies of those institutions in their present state, than in most of those who call themselves Conservatives. But there are many well-meaning people who always confound attachment to an end,

with blind adherence to any set of means by which it either is, or is pretended to be, already pursued; and have yet to learn, that bodies of men who live in honour and importance upon the pretence of fulfilling ends which they never honestly seek, are the great hinderance to the attainment of those ends; and whoever has the attainment really at heart, must begin by sweeping them from his path.

Thus far as to the political effects of Civilization. Its moral effects, which as yet, we have only glanced at, demand further elucidation. They may be considered under two heads: the direct influence of Civilization itself upon individual character, and the moral effects produced by the insignificance into which the individual falls in comparison with the masses.

One of the effects of a high state of civilization upon character, is a relaxation of individual energy: or rather the concentration of it within the narrow sphere of the individual's money-getting pursuits. As civilization advances, every person becomes dependent, for more and more of what most nearly concerns him, not upon his own exertions, but upon the general arrangements of society. In a rude state, each man's personal security, the protection of his family, his property, his liberty itself, depends greatly upon his bodily strength and his mental energy or cunning: in a civilized state, all this is secured to him by causes extrinsic to himself. The growing mildness of manners is a protection to him against much that he was before exposed to, while for the remainder he may rely with constantly increasing assurance upon the soldier, the policeman, and the judge; and (where the efficiency or purity of those instruments, as is usually the case, lags behind the general march of civilization) upon the advancing strength of public opinion. There remain, as inducements to call forth energy of character, the desire of wealth or of personal aggrandizement, the passion of philanthropy, and the love of active virtue. But the objects to which these various feelings point are matters of choice, not of necessity, nor do the feelings act with anything like equal force upon all minds. The only one of them which can be considered as anything like universal, is the desire of wealth; and wealth being, in the case of the majority, the most accessible means of gratifying all their other desires, nearly the whole of the energy of character which exists in highly civilized societies concentrates itself in the pursuit of that object. In the case, however, of the most influential classes—those whose energies, if they had them, might be exercised on the greatest scale and with the most considerable result—the desire of wealth is already sufficiently satisfied to render them averse to suffer pain.

or incur voluntary labour for the sake of any further increase. The same classes also enjoy, from their station alone, a high degree of personal consideration. Except the high offices of the state, there is hardly anything to tempt the ambition of men in their circumstances. Those offices, when a great nobleman could have them for asking for, and keep them with less trouble than he could manage his private estate, were, no doubt, desirable enough possessions for such persons; but, when they become posts of labour, vexation, and anxiety, and besides cannot be had without paying the price of some previous toil, experience shows that among men unaccustomed to sacrifice their amusements and their ease, the number upon whom these high offices operate as incentives to activity, or in whom they call forth any vigour of character, is extremely limited. Thus it happens, that in highly civilized countries, and particularly among ourselves, the energies of the middle classes are almost confined to money-getting, and those of the higher classes are nearly extinct.

There is another circumstance to which we may trace much both of the good and of the bad qualities which distinguish our civilization from the rudeness of former times. One of the effects of civilization (not to say one of the ingredients in it) is, that the spectacle, and even the very idea of pain, is kept more and more out of the sight of those classes who enjoy in their fulness the benefits of civilization. The state of perpetual personal conflict, rendered necessary by the circumstances of all former times, and from which it was hardly possible for any person, in whatever rank of society, to be exempt, necessarily habituated every one to the spectacle of harshness, rudeness, and violence, to the struggle of one indomitable will against another, and to the alternate suffering and infliction of pain. These things, consequently, were not as revolting even to the best and most actively benevolent men of former days, as they are to our own; and we find the recorded conduct of those men frequently such as would be universally considered very unfeeling in a person of our own day. They, however, thought less of the infliction of pain, because they thought less of pain altogether. When we read of actions of the Greeks and Romans, or our own ancestors, denoting callousness to human suffering, we must not think that those who committed these actions were as cruel as we must become before we could do the like. The pain which they inflicted, they were in the habit of voluntarily undergoing from slight causes; it did not appear to them as great an evil, as it appears, and as it really is, to us, nor did it in any way degrade their minds. In our own time, the necessity of personal collision between one person and another is, comparatively speaking, almost at an end. All those necessary portions of the business of

society which oblige any person to be the immediate agent or ocular witness of the infliction of pain, are delegated by common consent to peculiar and narrow classes: to the judge, the soldier, the surgeon, the butcher, and the executioner. To most people in easy circumstances, any pain, except that inflicted upon the body by accident or disease, and the more delicate and refined griefs of the imagination and the affections, is rather a thing known of than actually experienced. This is much more emphatically true in the more refined classes, and as refinement advances: for it is in keeping as far as possible out of sight, not only actual pain, but all that can be offensive or disagreeable to the most sensitive person, that refinement consists. We may remark too, that this is possible only by a perfection of mechanical arrangements impracticable in any but a high state of civilization. Now, most kinds of pain and annoyance appear much more unendurable to those who have little experience of them, than to those who have much. The consequence is that, compared with former times, there is in the refined classes of modern civilized communities much more of the amiable and humane, and much less of the heroic. The heroic essentially consists in being ready, for a worthy object, to do and to suffer, but especially to do, what is painful or disagreeable: and whoever does not early learn to do this, will never be a great character. There has crept over the refined classes, over the whole class of gentlemen in England, a moral effeminacy, an inaptitude for every kind of struggle. They shrink from all effort, from everything which is troublesome and disagreeable. When an evil comes to them, they can sometimes bear it with tolerable patience, (though nobody is less patient when they can entertain the slightest hope that by raising an outcry they may compel somebody else to make an effort to relieve them). But heroism is an active, not a passive quality; and when it is necessary not to bear pain but to seek it, little needs be expected from the men of the present day. They cannot undergo labour, they cannot brave ridicule, they cannot stand evil tongues; they have not hardihood to say an unpleasant thing to any one whom they are in the habit of seeing, or to face, even with a nation at their back, the coldness of some little *coterie* which surrounds them. This torpidity and cowardice, as a general characteristic, is new in the world: but (modified by the different temperaments of different nations) it is a natural consequence of the progress of civilization, and will continue until met by a system of cultivation adapted to counteract it.

If the source of great virtues thus dries up, great vices are placed, no doubt, under considerable restraint. The *régime* of public opinion is adverse to at least the indecorous vices: and as that re-

straining power gains strength, and 'certain classes or individuals cease to possess a virtual exemption from it, the change is highly favourable to the outward decencies of life. Nor can it be denied that the diffusion of even such knowledge as civilization naturally brings, has no slight tendency to rectify, though it be but partially, the standard of public opinion; to undermine many of those prejudices and 'superstitions which make mankind hate each other for things not really odious; to make them take a juster measure of the tendencies of actions, and weigh more correctly the evidence on which they condemn or applaud their fellow-creatures; to make, in short, their approbation direct itself more correctly to good actions, and their disapprobation to bad. What are the limits to this natural improvement in public opinion, when there is no other sort of cultivation going on than that which is the accompaniment of civilization, we need not at present inquire. It is enough that within those limits there is an extensive range; that as much of improvement in the general understanding, softening of the feelings, and decay of pernicious errors, as naturally attends the progress of wealth and the spread of reading, suffices to render the judgment of the public upon actions and persons, so far as evidence is before them, much more discriminating and correct.

But here presents itself another ramification of the effects of civilization, which it has often surprised us to find so little attended to. The individual becomes so lost in the crowd, that though he depends more and more upon opinion, he is apt to depend less and less upon well-grounded opinion: upon the opinion of those who know him. An established character becomes at once more difficult to gain, and more easily to be dispensed with.

It is in a small society, where everybody knows everybody, that public opinion, when well directed, exercises its most salutary influence. Take the case of a tradesman in a small country town: to every one of his customers he is long and intimately known; their opinion of him has been formed after repeated trials; if he could deceive them once, he cannot hope to go on deceiving them in the quality of his goods; he has no other customers to look to if he loses these, while, if his goods are really what they pretend to be, he may hope among so few competitors that this also will be known and recognised, and that he will acquire the character, as a man and a tradesman, which his conduct entitles him to. Far different is the case of a man setting up in business in the crowded streets of a great city. If he trust solely to the quality of his goods, to the honesty and faithfulness with which he performs what he undertakes, he may remain ten years without a customer: be he ever so honest, he is driven to cry out

on the housetops that his wares are the best of wares, past, present, and to come; while if he proclaim this, true or false, with sufficient loudness to excite the curiosity of passers by, and can give his commodities a gloss, a saleable look, not easily to be seen through at a superficial glance, he may drive a thriving trade although no customer ever enter his shop twice. There has been much complaint of late years, of the growth, both in the world of trade and in that of intellect, of quackery, and especially of puffing: but nobody seems to have remarked, that these are the inevitable outgrowth of immense competition; of a state of society where any voice, not pitched in an exaggerated key, is lost in the hubbub. Success, in so crowded a field, depends not upon what a person is, but upon what he seems: mere marketable qualities become the object instead of substantial ones, and a man's labour and capital are expended, less in *doing* anything than in persuading other people that he has done it. Our own age has seen this evil brought to its consummation. Quackery there always was, but it once was a test of the absence of sterling qualities: there was a proverb that good wine needed no bush. It is our own age which has seen the honest dealer driven to quackery, by hard necessity, and the certainty of being undersold by the dishonest. For the first time, arts for attracting public attention form a necessary part of the qualifications even of the deserving; and skill in these, goes farther than any other quality towards ensuring success. The same intensity of competition drives the trading public more and more to play high for success, to throw for all or nothing; and this, together with the difficulty of sure calculations in a field of commerce so widely extended, renders bankruptcy no longer disgraceful, because no longer a presumption either of dishonesty or imprudence: the discredit which it still incurs belongs to it, alas! mainly as an indication of poverty. Thus public opinion loses another of those simple criteria of desert, which, and which alone, it is capable of correctly applying; and the very cause which has rendered it omnipotent in the gross, weakens the precision and force with which its judgment is brought home to individuals.

It is not solely on the private virtues, that this growing insignificance of the individual in the mass, is productive of mischief. It corrupts the very fountain of the improvement of public opinion itself; it corrupts public teaching; it weakens the influence of the more cultivated few over the many. Literature has suffered more than any other human production by the common disease. When there were few books, and when few read at all save those who had been accustomed to read the best authors, books were written with the well-grounded expectation that they

would be read carefully, and if they deserved it, would be read often. A book of sterling merit, when it came out, was sure to be heard of, and might hope to be read, by the whole reading class; it might succeed by its real excellencies, although not got up to strike at once; and even if so got up, unless it had the support of genuine merit, it fell into oblivion. The rewards were then for him who wrote *well*, not *much*; for the laborious and learned, not the crude and ill-informed writer. But now the case is reversed.

'This is a reading age; and precisely because it is so reading an age, any book which is the result of profound meditation is, perhaps, less likely to be duly and profitably read than at a former period. The world reads too much and too quickly to read well. When books were few, to get through one was a work of time and labour: what was written with thought was read with thought, and with a desire to extract from it as much of the materials of knowledge as possible. But when almost every person who can spell, can and will write, what is to be done? It is difficult to know what to read, except by reading everything; and so much of the world's business is now transacted through the press, that it is necessary to know what is printed if we desire to know what is going on. Opinion weighs with so vast a weight in the balance of events, that ideas of no value in themselves are of importance from the mere circumstance that they *are* ideas, and have a *bonâ fide* existence as such anywhere out of Bedlam. The world, in consequence, gorges itself with intellectual food, and in order to swallow the more, *bolts* it. Nothing is now read slowly, or twice over. Books are run through with no less rapidity, and scarcely leave a more durable impression, than a newspaper article. It is for this, among other causes, that so few books are produced of any value. The lioness in the fable boasted that though she produced only one at a birth, that one was a lion. But if each lion only counted for one, and each leveret for one, the advantage would all be on the side of the hare. When every unit is individually weak, it is only multitude that tells. Who wonders that the newspapers should carry all before them? A book produces no greater effect than an article, and there can be 365 of these in one year. He, therefore, who should and would write a book, and write it in the proper manner of writing a book, now dashes down his first hasty thoughts, or what he mistakes for thoughts, in a periodical. And the public is in the predicament of an indolent man, who cannot bring himself to apply his mind vigorously to his own affairs, and over whom, therefore, not he who speaks most wisely, but he who speaks most frequently, obtains the influence.*

Hence we see that literature is becoming more and more ephemeral: books, of any solidity, are actually gone by; even reviews are not now considered sufficiently light; the attention cannot

* Review of 'Austin's Lectures on Jurisprudence,' in *Tat's Magazine* for December, 1832.

sustain itself on any serious subject, even for the space of a review-article. In the more attractive kinds of literature, the novel and the magazine, although the demand has so greatly increased, the supply has so outstripped it, that even a novel is seldom a lucrative speculation. It is only under circumstances of rare attraction that a bookseller will now give anything to an author for copyright. As the difficulties of success thus progressively increase, all other ends are more and more sacrificed for the attainment of it; literature becomes more and more a mere reflection of the current sentiments, and has almost entirely abandoned its mission as an enlightener and improver of them.

There are now in this country, we may say, but two modes left, in which an individual mind can hope to produce much direct effect upon the minds and destinies of his countrymen generally; as a member of parliament, or an editor of a London newspaper. In both these capacities much may still be done by an individual, because, while the power of the collective body is very great, the number of participants in it does not admit of much increase. One of these monopolies will be opened to competition when the newspaper stamp is taken off; whereby the importance of the newspaper press in the aggregate, considered as the voice of public opinion, will be much increased, and the influence of any one writer in helping to form that opinion, greatly diminished. This we might regret, did we not remember to what ends that influence is now used, and is sure to be so while newspapers are a mere investment of capital for the sake of mercantile profit.

Is there, then, no remedy? Are the decay of individual energy, the weakening of the influence of superior minds over the multitude, the growth of *charlatanerie*, and the diminished efficacy of public opinion as a restraining power,—are these the price we necessarily pay for the benefits of civilization, and can they only be avoided by checking the diffusion of knowledge, discouraging the spirit of combination, prohibiting improvements in the arts of life, and repressing the further increase of wealth and of production? Assuredly not. Those advantages which civilization cannot give—which in its uncorrected influence it has even a tendency to destroy—may yet coexist with civilization; and it is only when joined to civilization that they can produce their fairest fruits. All that we are in danger of losing we may preserve, all that we have lost we may regain, and bring to a perfection hitherto unknown; but not by slumbering, and leaving things to themselves, no more than by ridiculously trying our strength against their irresistible tendencies: only by establishing counter-tendencies, which may combine with those tendencies, and modify them.

The evils are, that the individual is lost and becomes impotent in the crowd, and that individual character itself becomes relaxed and enervated. For the first evil, the remedy is, greater and more perfect combination among individuals; for the second, national institutions of education, and forms of polity, calculated to invigorate the individual character.

The former of these *desiderata*, as its attainment depends upon a change in the habits of society itself, can only be realized by degrees, as the necessity becomes felt; but circumstances are even now to a certain extent forcing it on. In Great Britain especially (which so far surpasses the rest of the world in the extent and rapidity of the accumulation of wealth) the fall of profits, consequent upon the vast increase of population and capital, is rapidly extinguishing the class of small dealers and small producers, from the impossibility of living on their diminished profits, and is throwing business of all kinds more and more into the hands of large capitalists—whether these be rich individuals, or joint stock companies formed by the aggregation of many small capitals. We are not among those who believe that this progress is tending to the complete extinction of individual competition, or that the entire productive resources of the country will within any assignable number of ages, if ever, be administered by, and for the benefit of, a general association of the whole community. But we believe that the multiplication of competitors in all branches of business and in all professions—which renders it more and more difficult to obtain success by merit alone, more and more easy to obtain it by plausible pretence—will find a limiting principle in the progress of the spirit of co-operation; that in every overcrowded department there will arise a tendency among individuals so to unite their labours or their capitals, that the purchaser or employer will have to choose, not among innumerable individuals, but among a few groups. Competition will be as active as ever, but the number of competitors will be brought within manageable bounds.

Such a spirit of co-operation is most of all wanted among the intellectual classes and professions. The amount of human labour, and labour of the most precious kind, now wasted, and wasted too in the cruellest manner, for want of combination, is incalculable. What a spectacle, for instance, does the medical profession present! One successful practitioner, burthened with more work than mortal man can perform, and which he performs so summarily that it were often better let alone;—in the surrounding streets twenty unhappy men, each of whom has been as laboriously and expensively trained as he has, to do the very same thing, and is possibly as well qualified, wasting their capabilities

and starving for want of work. Under better arrangements these twenty would form a corps of subalterns marshalled under their more successful leader; who (granting him to be really the ablest physician of the set, and not merely the most successful impostor) is wasting time in physicking people for headaches and heartburns, which he might with better economy of mankind's resources turn over to his subordinates, while he employed his maturer powers and greater experience in studying and treating those more obscure and difficult cases, upon which science has not yet thrown sufficient light, and to which ordinary knowledge and abilities would not be adequate. By such means every person's capacities would be turned to account, and the highest minds being kept for the highest things, these would make progress while ordinary occasions would be no losers.

But it is in literature, above all, that a change of this sort is of most pressing urgency. There the system of individual competition has fairly worked itself out, and things cannot continue much longer as they are. Literature is a province of exertion upon which more, of the first value to human nature, depends, than upon any other; a province in which the highest and most valuable order of works, those which most contribute to form the opinions and shape the characters of subsequent ages, are, more than in any other class of productions, placed beyond the possibility of appreciation by those who form the bulk of the purchasers in the book-market; insomuch that, even in ages when these were a far less numerous and more select class than now, it was an admitted point that the only success which writers of the first order could look to was the verdict of posterity. That verdict could, in those times, be confidently expected by whoever was worthy of it; for the good judges, though few in number, were sure to read every work of merit which appeared; and as the recollection of one book was not in those days immediately obliterated by a hundred others, they remembered it, and kept alive the knowledge of it to subsequent ages. But in our day, from the immense multitude of writers (which is now not less remarkable than the multitude of readers), and from the manner in which the people of this age are obliged to read, it is difficult for what does not strike during its novelty, to strike at all: a book either misses fire altogether, or is so read as to make no permanent impression; and the best equally with the worst are forgotten by the next day.

For this there is no remedy, while the public have no guidance beyond booksellers' advertisements, and the venal paragraphs of newspapers and small periodicals, to direct them in distinguishing what is not worth reading from what is. The resource must.

in time be, some organized co-operation among the leading intellects of the age, whereby works of first-rate merit, of whatever class, and of whatever tendency in point of opinion, might come forth with the stamp on them, from the first, of the approval of those whose name would carry authority. There are many causes why we must wait long for such a combination; but (with enormous defects, both in plan and in execution) the Society for the Diffusion of Useful Knowledge was as considerable a step towards it as could be expected in the present state of men's minds, and in a first attempt. Literature has had in this country two ages; it must now have a third. The age of patronage, as Johnson a century ago proclaimed, is gone. The age of booksellers, it has been proclaimed in our own time, has now well nigh died out. In the first there was nothing intrinsically base, nor in the second any thing inherently independent and liberal. Each has done great things; both have had their day. The time is coming when authors, as a collective guild, must be their own patrons and their own booksellers.

These things must bide their time. But the other of the two great *desiderata*, the regeneration of individual character among our lettered and opulent classes, by the adaptation to that purpose of our institutions, and, above all, of our educational institutions, is an object of more urgency, and for which more might be immediately accomplished if the will and the understanding were not alike wanting.

This, unfortunately, is a subject on which, for the inculcation of rational views, everything is yet to be done; for, all that we would inculcate, all that we deem of vital importance, all upon which we conceive the salvation of the next and all future ages to rest, has the misfortune to be almost equally opposed to the most popular doctrines of our own time, and to the prejudices of those who cherish the empty husk of what has descended from ancient times. We are at issue equally with the admirers of Oxford and Cambridge, Eton and Westminster, and with the generality of their professed reformers. We regard the system of ~~these~~ institutions, as actually administered, with sentiments little short of utter abhorrence. But we do not conceive that their vices would be cured by bringing their studies into a closer connection with what it is the fashion to term 'the business of the world;' by dismissing the logic and ~~metaphysics~~ metaphysics which are still nominally taught, to substitute modern languages and experimental physics. We would have classics and ~~mathematics~~ mathematics taught far more really and deeply than at present, and we would add to them other studies more alien than any which yet exist to the 'business of the world,' but

more germane to the great business of every rational being, the strengthening and enlarging of his own intellect and character. The empirical knowledge which the world demands, which is the stock in trade of money-getting life, we would leave the world to provide for itself; content with infusing into the youth of our country a spirit, and training them to habits, which would ensure their acquiring such knowledge easily, and using it well. These, we know, are not the sentiments of the vulgar; but we believe them to be those of the best and wisest of all parties: and we are glad to corroborate our opinion by a quotation from a work written by a friend to the Universities, and by one whose tendencies are rather conservative than liberal; a book which, though really, and not in form merely, one of fiction, contains much subtle and ingenious thought, and the results of much psychological experience, combined, we are compelled to say, with much caricature, and very provoking (though we are convinced unintentional) distortion and misinterpretation of the opinions of some of those with whose philosophy that of the author does not agree.

“You believe” (a clergyman *loquitur*) “that the University is to prepare youths for a successful career in society: I believe the sole object is to give them that manly character which will enable them to resist the influences of society. I do not care to prove that I am right, and that any university which does not stand upon this basis will be rickety in its childhood, and useless or mischievous in its manhood; I care only to assert that this was the notion of those who founded Oxford and Cambridge. I fear that their successors are gradually losing sight of this principle—are gradually beginning to think that it is their business to turn out clever lawyers and servicable treasury clerks—are pleased when the world compliments them upon the goodness of the article with which they have furnished it—and that this low vanity is absorbing all their will and their power to create great men, whom the age will scorn, and who will save it from the scorn of the times to come.”

“One or two such men,” said the Liberal, “in a generation, may be very useful; but the University gives us two or three thousand youths every year. I suppose you are content that a portion shall do week-day services.”

“I wish to have a far more hard-working and active race than we have at present,” said the clergyman; “men more persevering in toil, and less impatient of reward; but all experience, a thing which the schools are not privileged to despise, though the world is—all experience is against the notion, that the means to procure a supply of good ordinary men is to attempt nothing higher. I know that nine-tenths of those whom the University sends out must be hewers of wood and drawers of water; but, if I train the ten, the ten to be so, depend upon it the wood will be badly cut, the water spilt. Aim at something noble; make your system such that a great man may be formed by it, and there will be a manhood in your little men of which you do

not dream. But when some skilful rhetorician, or lucky rat, stands at the top of the ladder—when the University, instead of disclaiming the creature, instead of pleading, as an excuse for themselves, that the healthiest mother may, by accident, produce a shapeless abortion, stands shouting, that the world may know what great things they can do, ‘we taught the boy!’—when the hatred which worldly men will bear to religion always, and to learning whenever it teaches us to soar and not to grovel, is met, not with a frank defiance, but rather with a deceitful argument to show that trade is the better for them; is it wonderful that a puny beggarly-feeling should pervade the mass of our young men? that they should scorn all noble achievements, should have no higher standard of action than the world’s opinion, and should conceive of no higher reward than to sit down amidst loud cheering, which continues for several moments?*

Nothing can be more just or more forcible than the description here given of the objects which University education should aim at: we are at issue with the writer, only on the proposition that these objects ever were attained, or ever could be so, consistently with the principle which has always been the foundation of the English Universities; a principle, unfortunately, by no means confined to them. The difficulty, the all but insuperable difficulty, which continues to oppose either such reform of our old academical institutions, or the establishment of such new ones, as shall give us an education capable of forming great minds, is, that in order to do so it is necessary to begin by eradicating the idea which nearly all the upholders and nearly all the impugnors of the Universities rootedly entertain, as to the objects not merely of academical education, but of education itself. What is this idea?—That the object of education is, not to qualify the pupil for judging what is true or what is right, but to provide that he shall think true what we think true, and right what we think right—that not the spirit in which the person’s opinions are arrived at and held, but the opinions themselves, are the main point. This is the deep-seated error, the inveterate prejudice, which the real reformer of English education has to struggle against. Is it astonishing that great minds are not produced, in a country where the test of a great mind is, agreeing in the opinions of the small minds? where every institution for spiritual culture which the country has—the church, the universities, and almost every dissenting community—are constituted on the following as their avowed principle: that the object is, *not* that the individual should go forth determined and qualified to seek truth ardently, vigorously, and disinterestedly; *not* that he be furnished at setting out, with the needful aids and facilities, the needful materials and instruments for that search, and then left to

* From a novel called ‘Eustace Conway,’ vol. i., ch. 6.

the unshackled use of them ; *not* that, by a free communion with the thoughts and deeds of the great minds which preceded him, he be inspired at once with the courage to dare all which truth and his conscience require, and the modesty to weigh well the grounds of what others think, before adopting contrary opinions of his own : *not* this—no ; but that the triumph of the system, the merit, the excellence in the sight of God which it possesses, or which it can impart to its pupil, is, that his speculations shall terminate in the adoption, in words, of a particular set of opinions. That provided he adhere to these opinions, it matters little whether he receive them from authority or from examination ; and worse, that it matters little by what temptations of interest or vanity, by what voluntary or involuntary sophistication with his intellect, and deadening of his noblest feelings, that result is arrived at ; that it even matters comparatively little whether to his mind the words are mere words, or the representatives of realities—in what sense he receives the favoured set of propositions, or whether he attaches to them any sense at all. Were ever great minds thus formed ? Never ! The few great minds which this country has produced have been formed in spite of nearly every thing which could be done to stifle their growth. And all thinkers, much above the common order, who have grown up in the Church of England, or in any other Church, have been produced in latitudinarian epochs, or while the impulse of intellectual emancipation which gave existence to the Church had not quite spent itself. The flood of burning metal which issued from the furnace flowed on a few paces before it congealed.

That the English Universities have, throughout, proceeded upon the principle, that the intellectual association of mankind must be founded upon articles, *i. e.* upon a promise of belief in certain opinions ; that the scope of all they do is to prevail upon their pupils, by fair means or foul, to acquiesce in the opinions which are set down for them ; that the abuse of the human faculties so forcibly denounced by Locke under the name of ‘*principling*’ their pupils is their sole method in religion, politics, morality, or philosophy—is vicious indeed, but the vice is equally prevalent without and within their pale, and is no farther disgraceful to them than inasmuch as a better doctrine has been taught for a century past by the superior spirits, with whom in point of intelligence it was their duty to maintain themselves on a level. But, that when this object was attained they cared for no other ; that if they could make churchmen, they cared not to make religious men ; that if they could make Tories, whether they made patriots was indifferent to them ; that if they could prevent heresy, they cared not if the price paid were stupidity—this constitutes the peculiar baseness of those bodies. Look at them. While

their sectarian character, while the exclusion of all who will not sign away their freedom of thought, is contended for as if life depended upon it, there is not a trace in the system of the Universities that any other object whatever is seriously cared for. Nearly all the professorships have degenerated into sinecures. Few of the professors ever deliver a lecture. One of the few great scholars who have issued from either University for a century (and he was such before he went thither), the Rev. Connop Thirlwall, has published to the world that in his University at least, even religion—even what the Church of England terms religion—is not taught; and his dismissal, for this piece of honesty, from the tutorship of his college, is one among the daily proofs how much safer it is for twenty men to neglect their duty, than for one man to impeach them of the neglect. The only studies really encouraged are classics and mathematics; neither of them a useless study, though the last, as an instrument for fashioning the mental powers, greatly overrated; but Mr. Whewell, a high authority against his own University, has just published a pamphlet, chiefly to prove that the kind of mathematical attainment by which Cambridge honours are gained, expertness in the use of the calculus, is not that kind which has any tendency to produce superiority of intellect.* The mere shell and husk of the syllogistic logic at the one University, the wretchedest smattering of Locke and Paley at the other, are all of moral or psychological science that is taught at either.† As a means of educating the many, the Universities are absolutely null. The youth of England are not educated. The attainments of *any kind* required for taking all the degrees (except professional ones) ever conferred by these bodies are, at Cambridge, utterly contemptible; at Oxford, we believe, of late years, somewhat higher, but still very low. Honours, indeed, are not gained but by a severe struggle; but the candidates for honours are the few, not the many. Still, if even the few were mentally benefited, the places would not be worthless. But what have the senior wranglers done, even in mathematics? Has Cambridge produced one great mathematician since Newton? How many books which have thrown

* The erudite and able writer in the Edinburgh Review, who has expended an almost superfluous weight of argument and authority in refuting the position incidentally maintained in Mr. Whewell's pamphlet, of the great value of mathematics as an exercise of the mind, was, we think, bound to have noticed the fact that the far more direct object of the pamphlet was one which partially coincided with that of its reviewer. We do not think that Mr. Whewell has done well what he undertook: he is vague, and is always attempting to be a profounder metaphysician than he can be; but the main proposition of his pamphlet is true and important, and he is entitled to no little credit for having discerned that important truth, and expressed it so strongly.

† We should except, at Oxford, the Ethics, Politics, and Rhetoric of Aristotle. These are part of the course of classical instruction, and are so far an exception to the rule, otherwise pretty faithfully observed at both Universities, of cultivating only the least useful parts of ancient literature.

light upon the history, antiquities, philosophy, art, or literature of the ancients, have the two Universities sent forth since the Reformation? Compare them, not merely with Germany, but even with Italy or France. When a man is pronounced by them to have excelled in their studies, what do the Universities do? They give him an income, not for continuing to learn, but for having learnt; not for doing anything, but for what he has already done: on condition solely of living like a monk, and putting on the livery of the church at the end of seven years. They bribe men by high rewards to get their arms ready, but do not require them to fight.

Are these the places which are to send forth minds capable of maintaining a victorious struggle with the debilitating influences of the age, and strengthening the weak side of Civilization by the support of a higher Cultivation? This, however, is what we require from these institutions; or, in their default, from others which must take their place. And the very first step towards their reform, must be to unsectarianize them wholly—not by the paltry measure of allowing Dissenters to come and be taught orthodox sectarianism, but by putting an end to sectarian teaching altogether. The principle itself of dogmatic religion, dogmatic morality, dogmatic philosophy, is what requires to be rooted out; not any particular manifestation of that principle.

The very corner-stone of an education intended to form great minds must be the recognition of the principle, that the object is to call forth the greatest possible quantity of intellectual *power*, and to inspire the intensest *love of truth*; and this without a particle of regard to the results to which the exercise of that power may lead, even though it should conduct the pupil to opinions diametrically opposite to those of his teachers. We say this not because we think opinions unimportant, but precisely because of the immense importance which we attach to them; for in proportion to the degree of intellectual power and love of truth which we succeed in creating, is the certainty that (whatever may happen in any one particular instance) in the aggregate of instances true opinions will be the result; and intellectual power and practical love of truth are alike impossible where the reasoner is shown his conclusions, and informed beforehand that he is expected to arrive at them.

We are not so absurd as to propose that the teacher should not inculcate his own opinions as the true ones, and exert his utmost powers to exhibit their truth in the strongest light. To abstain from this would be to nourish the worst intellectual habit of all, that of not finding, and not looking for, certainty in anything. But the teacher himself should not be held to any creed; nor should the question be whether the opinions he inculcates are the true ones, but whether he knows all creeds, and, in enforcing his own, states

the arguments for all conflicting opinions fairly. In this spirit it is that all the great subjects are taught from the chairs of the German and French Universities. The most distinguished teacher is selected, whatever be his particular views, and he consequently teaches in the spirit of free inquiry, not of dogmatic imposition. Were such the practice here, we believe that the results would greatly eclipse France and Germany, because we believe that when the restraints on free speculation and free teaching were taken off, there would be found in many individual minds among us, a vein of solid and accurate thought, as much superior in variety and sterling value to any which has yet manifested itself in those countries (except in one or two distinguished instances), as the present tone of our national mind is in many important points inferior.

Such is the principle of all academical instruction which aims at forming great minds. The details we have not much space for the discussion of. We may, however, just indicate a part of what we have not room to enter into more fully. Ancient literature would fill a large place in such a course of instruction; because it places before us the thoughts and actions of many great minds, minds of many various orders of greatness, and these related and exhibited in a manner tenfold more impressive, tenfold more calculated to call forth the highest aspirations, than in any modern literature. Imperfectly as these impressions are made by the current modes of classical teaching, it is incalculable what we owe to this the sole ennobling feature in the slavish, mechanical thing which the moderns call education. Nor is it to be forgotten among the benefits of familiarity with the monuments of antiquity, and especially those of Greece, that we are taught by it to appreciate and to admire intrinsic greatness, amidst opinions, habits, and institutions most remote from ours; and are thus trained to that large and catholic toleration, which is founded on understanding, not on indifference—and to a habit of free, open sympathy with powers of mind and nobleness of character, howsoever exemplified. Were but the languages and literature of antiquity so taught that the glorious images they present might stand before the student's eyes as living and glowing realities—that, instead of lying a *caput mortuum* at the bottom of his mind, like some foreign substance in no way influencing the current of his thoughts or the tone of his feelings, they might circulate through it, and become assimilated, and be part and parcel of himself!—then should we see how little these studies have yet done for us, compared with what they have yet to do.

An important place in the system of education which we contemplate would be occupied by history: not under the puerile notion that political wisdom can be founded upon it; but partly

because it is the record of all the great things which have been achieved by mankind, and partly because when philosophically studied it gives a certain largeness of conception to the student, and familiarizes him with the action of great causes. In no other way can he so completely realize in his own mind (howsoever he may be satisfied with the proof of them as abstract propositions) the great principles by which the progress of man and the condition of society are governed. Nowhere else will the infinite varieties of human nature be so vividly brought home to him, and anything cramped or one-sided in his own standard of it so effectually corrected; and nowhere else will he behold so strongly exemplified the astonishing pliability of our nature, and the vast effects which may under good guidance be produced upon it by honest endeavour. The literature of our own and other modern nations should be studied along with the history, or rather as a part of the history.

In the department of pure intellect, the highest place will belong to logic and the philosophy of mind: the one, the instrument for the cultivation of all sciences; the other, the root from which they all grow. It scarcely needs be said that the former will not be taught as a mere system of technical rules, nor the latter as a set of concatenated abstract propositions. The tendency, so strong everywhere, is strongest of all here, to receive opinions into the mind without any real understanding of them, merely because they seem to follow from certain admitted premises, and to let them lie there as forms of words, lifeless and void of meaning. The pupil must be led to interrogate his own consciousness, to observe and experiment upon himself: of the mind, by any other process, little will he ever know.

With these should be joined all those sciences in which great and certain results are arrived at by mental processes of some length or nicety: not that all persons should study all these sciences, but that some should study all, and all some. These may be divided into sciences of mere ratiocination, as mathematics; and sciences partly of ratiocination, and partly of what is far more difficult, comprehensive observation and analysis. Such are, in their *rationale*, even the sciences to which mathematics are subservient; and such are all those which relate to human nature. The philosophy of morals, of government, of law, of political economy, of poetry and art, should form subjects of systematic instruction, under the most eminent professors who could be found; these being chosen not for the particular doctrines they might happen to profess, but as being those who were most likely to send forth pupils qualified in point of disposition and attainments to choose doctrines for themselves. And why should not religion be taught in the same manner? Not till then will one step

be made towards the healing of religious differences: not till then will the spirit of English religion become catholic instead of sectarian, favourable instead of hostile to freedom of thought and the progress of the human mind.

We have dwelt so long on the reforms in education necessary for regenerating the character of the higher classes, that we have not space remaining to state what changes in forms of polity and social arrangements we conceive to be required for the same purpose. We can only just indicate the leading idea. Civilization has brought about a degree of security and fixity in the possession of all advantages once acquired, which has rendered it, for the first time in Europe, possible for a rich man to lead the life of a Sybarite, and nevertheless enjoy throughout life a degree of power and consideration which could formerly be earned or retained only by personal activity. We cannot undo what civilization has done, and again stimulate the energy of the higher classes by insecurity of property, or danger of life or limb. The only adventitious motive it is in the power of society to hold out is reputation and consequence, and of this as much use as possible should be made for the encouragement of desert. The main thing which social changes can do for the improvement of the higher classes—and it is what the progress of democracy is insensibly but certainly accomplishing—is gradually to put an end to every kind of unearned distinction, and let the only road open to honour and ascendancy be that of personal qualities.

A.

ART. II.

GODOY, PRINCE OF THE PEACE.

Memoirs of Don Manuel de Godoy, Prince of the Peace, Duke del Alcudia, Count d'Everamonte, &c., formerly Prime Minister of the King of Spain, Generalissimo of his Armies, High Admiral, &c. Written by himself. Edited, under the Superintendence of his Highness, by Lieut.-Colonel J. B. D'Es-ménard, with an Introduction, Historical and Biographical Notes, &c. In 2 vols. English translation. London: 1836.

WE* confess that we took up the *Memoirs of Godoy* with some prejudice;—not that we have, at any time, considered the *Prince of the Peace* as a man who has deserved the

* It seems desirable, at the beginning of this article, to inform the reader that the plural pronoun is employed in conformity with established custom; and that, as it will be readily perceived, in regard to certain statements, both matters of fact and expressions of sentiment have a direct reference to the personal knowledge and individual feelings of the writer.

hatred so generally expressed by his countrymen, but because we thought that, even when he should prove himself free from great criminality, he could hardly make out a case worthy of general attention. We have nevertheless read his whole work with interest, and some of its passages with emotion. We remember him as we saw him in the fulness of his power; we were near the scene of his downfall and his imminent personal danger; we stood for more than one hour in the crowd gathered to see the conflagration of his brother Diego's* magnificent house, which, with all its valuable furniture, had been summarily condemned by the secret leaders of the popular fury; we witnessed the real, and also the *affected* anxiety expressed by many that the fallen favourite should escape the knives of the populace, in order that he might undergo the ignominy of the gallows; we saw the scowl of disappointed blood-thirstiness upon thousands of countenances which in their every-day expression could hardly be conceived capable of a still darker shade. Eight-and-twenty years have passed since we found ourselves in the midst of these awfully instructive events; and we lately thought that the impressions we then received had melted into that general inactive interest with which we read in history the wrongs which time has placed out of man's reach for redress. The long silence of the person whom popular envy hurled from the highest station which any but the members of the royal family ever enjoyed in Spain appeared to us like an acknowledgment of guilt;—guilt, certainly, not equal to the extent, and much less to the *manner* of the punishment; but such as the sufferer preferred to leave unsifted, under the consciousness that the *degree* of justification which was in his power would not make him amends for the pain of refreshing the events upon which the defence must turn. We had on various occasions inquired what had become of the Prince of the Peace since the death of his unfortunate royal friends Carlos IV. and Maria Luisa, and could hardly obtain any information; he seemed to have disappeared from the face of the earth without leaving any trace of himself except a despised name. It was therefore with no small surprise that we saw the announcement of his forthcoming Memoirs. We had even doubts concerning the authorship of the advertised work, and wished the more on that

* 'And you likewise, my excellent brother Don Diego de Godoy, who so nobly served your country, who added one more distinction to your family, and are now without a country, and banished on my account by the unjust government of Ferdinand VII., that ill-fated monarch, whose reign has been an uninterrupted series of proscriptions. O my brother! nothing more is left to us for the support of our existence than the scanty remnant of the bounty of Charles IV., who has already paid the debt of nature amidst the sorrows of exile and penury, and whom we are likely to follow to the grave.'—Godoy, vol. i. p. 237. In a note to this passage there is an enumeration of the military actions in which Don Diego de Godoy distinguished himself during the campaigns of 93, 94, and 95. in Roussillon.

account that it were in our power to remove or confirm them by an examination of the original Spanish. But we had scarcely read one half of the first volume, in English, before we were perfectly convinced, by internal evidence, that the work had been written by the person whose name it bears. Without any other knowledge of the Prince of the Peace than that which any private individual at Madrid might possess from having, out of mere curiosity, been two or three times at the literally *public* levee which he held for a considerable time once a week—an assemblage which any decently-dressed man or woman was allowed to join, unintroduced and unquestioned—and a merely complimentary presentation to the Prince by one of his aide-de-camps, the last time we saw him—without any nearer acquaintance than this, and guided only by an intimate knowledge of the Spanish character under the various modifications which result from the distinctions of ranks and classes, we will vouch for the genuineness of the work. We want not (though we certainly respect) the attestation of Colonel D'Esménard, the editor of the *Memoirs*. The intimate conviction that we hear a voice which we conceived to have been stopped as effectually as by the hand of death; the certainty that a long, long suppressed appeal to justice and humanity has reached us, from one subdued by age, sorrow, narrow circumstances and general neglect,—whom we saw in manhood, splendour, and power, an object of universal flattery, complaisance, and submission; awakes an interest which we had never imagined we could feel for the individual in question. ‘I beseech the reader’ (we quote the beginning of the fourth chapter) ‘to dismiss for a moment any bias, whether favourable or otherwise, by which his mind may have been prepossessed. The first duty of a judge is impartiality: I readily submit to the sentence that he may pronounce after he shall have read me with attention, and without omitting a single line of my defence, in which I have endeavoured to avoid superfluity.* Our whole heart granted the request.

Still more were we warmed with the desire of contributing our aid towards the just apportioning of historical reputation to a man who in evident anguish deprecates eternal disgrace, when we read the following passage from his pen. To the contents of this passage we call the attention of all honest men. It is found after a detailed account of his conduct during his first ministry, from November 1792 to March 1798.

‘I have produced a multitude of public and authentic documents. Envy and hatred can never deny or destroy them. Without doubt, it would be easy for me to add other proofs as strong, perhaps even more

* *Memoirs*, vol. i. p. 117.

decisive, if I, or any one of my friends, were permitted to consult the government archives, or my own papers. There are to be found the official correspondence, the notes, the original reports, in general all the papers relating to the affairs with which I was intrusted. But by the sequestration which has, for twenty-seven years, been maintained over my whole property, all my means of defence and justification have likewise been taken from me. . . . No judgment, no legal sentence, no protective form, has ever authorized this Turkish spoliation. I possessed various registers, in which were recorded, day by day, month by month, all the acts in which I had taken part. There, I say, will be found consigned to writing the good already effected, the evil happily avoided, of that country which is always present to my thoughts, and whose happiness and glory were the objects of my constant solicitude. . . . But, the Eastern despotism which has so long borne me down will not, I hope, be naturalized in a Christian and civilized nation: the men of the present government will repudiate the fatal inheritance of a period of violence, calumny, and ingratitude. . . . It, in short, Spain of the present day should refuse me the justice which is my due, my memory and my misfortunes will obtain a fair and equitable satisfaction at the hands of impartial history.*

We fear that the Prince of the Peace deceives himself in his hopes of full impartiality, both from his country and from history. It is not possible to dislodge Envy when it once has occupied any ground on which Virtue might properly stand up to reprove. The original source of Godoy's exorbitant success in life was (we cannot doubt it) disreputable. A right feeling of delicacy has imposed perfect silence upon him in regard to the Queen Maria

* There is something perplexing to people slightly acquainted with Spain in the melancholy but true pictures of national corruption and degeneracy, which come to us from unquestionable sources, compared with the extreme sensibility of the Spaniards in regard to honour and reputation. Yet it is a fact that the generality of the natives of Spain preserve the quickest sense of honour, though few of them have any settled standard by which to know the conduct that deserves that character, especially in connection with public life. You will see persons in high office receiving bribes, with a kind of apologetic look, which means, 'I know that this is not quite correct; but I do it because nobody about me thinks that it dishonours me.' We have witnessed the death of a Spaniard of the highest rank, who was as effectually killed by a public insult as if he had been shot with a bullet. It was the Duke of Albuquerque, who died in London, where he was ambassador from Spain, in 1811. The junta of Cadiz had published a violent invective against him, in which he was declared a traitor to Spain. The Duke called upon the writer of this article, to show him the libellous publication, as soon as he received it. He was in extreme agitation, and said he was about to write an answer instantly. On the second morning after this call, which had taken place late in the evening, the person just mentioned went, by the Duke's desire, early to see him. He found him as changed in countenance as if he had passed through a long illness: the signs of distraction were visible upon him; he had not been in bed, had scarcely taken any food for eight-and-forty hours, and had been writing all that time: he drew out of his pocket a scrap of paper on which he had copied the words, 'a traitor to Spain;' and, reading the sentence aloud, he fell on his knees in a flood of tears: the next moment he attempted to throw himself out of a window. Having been forcibly put to bed, he expired two days after, of a brain fever.

Luisa; but her notorious character makes it evident that her original recommendation of young Godoy to her credulous and blindly fond husband was the result of an unlawful and freely-indulged passion. To spend our moral indignation upon a youth seventeen years old,* because he did not resist the solicitations of an enamoured queen at the experienced age of thirty-three, would be perfectly absurd. But those who envied Godoy in the immediate view of his prosperity—as well as the immense multitude who, in all ages and countries, are actuated by the same passion whenever extraordinary good luck is presented to them, even in narrative—will hardly condescend to examine either the unjust exaggerations and calumnies by which the Prince of the Peace has been made to appear as a modern Sardanapalus, or to unveil in their own heart the disguised jealousy which mimics the language of moral indignation. For our own part, we are convinced that Godoy's illicit intercourse with the queen, was not of long duration: she was too abandoned for any permanent attachment; too old to preserve for many years the attractions which, helped by novelty and luxurious refinements, had drawn a mere boy into her toils. Though, in accounting for the extraordinary royal favour he enjoyed, Godoy does not tell the *whole* truth, he certainly omits but a small portion. It was (he declares) the desire of the king and queen to nurture to themselves, by extreme kindness, a confidant, a minister of their will, in whom they might entirely trust, both on the score of gratitude and dependence. This explanation will bear the stamp of truth for any one who shall form to himself a notion of the moral solitude to which a king of Spain, especially one with the character of Carlos IV., was condemned for life.

The only persons who might have afforded some social enjoyment to those victims of etiquette, the Spanish kings, were the

* It is said in 'Doblado's Letters from Spain' (a work in which the most credible reports on this subject were impartially collected by the author) that the queen, who, since her arrival from Parma, had seldom been without a lover, had bestowed her favours on an elder brother of the Prince of the Peace, Don Luis de Godoy, a *garde du corps*, whom Carlos III. removed from the court about the time when Manuel (the Prince of the Peace) was admitted into that privileged body of troops; that the latter was made the means of communication, by letters, between his brother and the then Princes of Asturias; and that, when on guard in the interior of the palace, his playing a certain tune on the flute was the signal of his having a billet-doux to deliver. That Luis Godoy was one of the earliest lovers of Maria Luisa, in Spain, seems unquestionable; but the story about the flute-playing is indirectly denied by the incidental mention which the Prince of the Peace makes in his Memoirs of his never having learnt to play upon any instrument, though he had a great taste for music. We believe that his brother Luis was an excellent singer to the guitar. A Spaniard who, with a good voice and expression, sings the national airs to the accompaniment of that pretty, however musically imperfect instrument, must be endowed with bashfulness superior to that of the Hebrew hero of chastity, to avoid the snares which beset him on all sides.

grandeess. Compelled to reside at court, and more ambitious of performing the menial services of the palace than the most high-spirited Englishman ever was of preserving his personal independence, the king was generally surrounded by the heads of the most ancient and opulent houses of Spain, as was the queen by their wives. But it is difficult to conceive a set of men more unfit for giving or receiving mental pleasure, and less worthy the trust of a monarch. The self-curse of aristocratic pride was never exhibited more palpably than in the state to which the highest nobility of Spain was reduced forty years ago.* Whether the stirring events which have taken place in the Peninsula, and the call they have received to the upper chamber of the Cortes, are beginning to restore the members of that order to society and true civilization, to both of which they had for many ages considered themselves superior, we know not; but, at the period to which we allude, there were very few of them with whom a well-educated man would have wished to associate. Colonel D'Esménard, the editor of the present Memoirs, who, during a constant residence of sixteen years at Madrid, made himself thoroughly acquainted with the language, manners, and notions of the Spaniards, attests, and we vouch for the accuracy of his picture, the general state of the high nobility from 1792 to 1808, the period of his observation.

‘The high nobility possessed little political influence. Insensible to the ties of family or of party spirit,’ [political party?] ‘alike servile and debased, they conspired not; they bore animosity to no one; they would have even been at a loss how to complain.† The ante-rooms of the palace were (during the power of the Prince of the Peace) as heretofore open to them. That nobility, once so haughty and so powerful, had, for the last hundred years, confined their ambition to securing to themselves the places in the royal household. The choice of the sovereign, be he who he might, was always secure of their approbation and homage; so accustomed were they to the sudden apparition from the clouds, as it were, or the no less sudden springing up out of the bowels of the earth, of those who were to relieve the monarch of the irksome administration of his vast dominions.‡’

It is remarkable how very few of the body of ancient grandeess have had any share as *ministers* in the administration of the

* This complete degeneracy of the ancient nobility of Spain did not begin to show itself till about the reign of the last king of the house of Austria, Carlos II. The kings of the house of Bourbon appear to have listened to it, as we shall show presently, by not allowing the exclusive management of the diplomacy and government of the kingdom to members of that proud class. At the same time we must remember that the progress of mental debasement is very rapid: two neglected generations would be sufficient to bring the Spanish grandeess to their low intellectual state.

† We must caution our readers against taking this *inoffensiveness* of the grandeess as an universal quality. We shall have to show a remarkable exception in the course of our examination of Godoy's Memoirs.

‡ Introduction to Godoy's Memoirs, by D'Esménard, p. xvii.

kingdom. Archdeacon Coxe, in his Memoirs of the Spanish Bourbons, has noted the great difficulty with which Ferdinand VI. prevailed on Carvajal, a younger member of the house of Linares, to be one of his secretaries of state. Mr. Coxe observes, in the same place, that Carvajal was the first individual of his hereditary rank who, for a long period, had taken a department of the ministry under his care. This was by no means the effect of accident: the grandees have always declined to occupy stations open to people of an inferior rank. In former days they considered the viceroalties in Italy as their own. The great offices of the palace, having been always held by the high nobility, remain to this day objects of their ambition. If the Spanish kings had confined themselves to the body of the grandees for the choice of ministers, those absurdly proud men would have been seen intriguing for ministerial office. But pride, indolence, and the consciousness of a superlative ignorance which could not but betray itself in the management of public affairs, have combined to place the office of minister of state in the list of things which are beneath the dignity, not only of a grandee of Spain, but of the collateral branches of his family.* Thus, self-condemned to

* We conceive that the feeling of the grandees remarked by Coxe has come down from the ages when the office of *notary*, and indeed any office which implied a literary education of any kind, was nearly confined to plebeians. Holy orders alone could, except in particular cases, raise even the office of chancellor to any thing like equality with the baronial nobility. Both in France and Spain the great officers of the palace were, in ancient times, the proper ministers of the king, *regni administri*: but, with the exception of the chancellor, who was *grand référendaire* and *arch-notary*, none could be properly called *secretary*. In 1309 Philippe le Bel established three *clercs du secret*, whose office was similar to the *magistri sacrorum scriptorum* of the Lower Empire. *Secrétaire*, in an ordinance of Philippe le Long, 1316, appears as a modification of *Notaire*: the two offices are distinguished under Philippe de Valois, who in 1343 had seven *secrétaires* and seventy-four *notaires*: but the king's *secrétaires* were also *notaires*. (See the articles *Ministre* and *Secrétaire*, in the *Encyc. Méthod. : Jurisprudence*.) This distinction between Secretaries and Ministers, or more properly members of the cabinet, appears clearly enough in the general history of Spain, but we cannot at present trace it more minutely. In the history of the Spanish kings, from the 15th century downwards, we find what the Spanish writers call *Privados*, or *Validos*, (intimates, favourites,) such as Alvaro de Luna, Beltran de la Cueva, Lerma, Olivarez; but these men do not appear to us to have held the regular office of Secretary of State. Some of these *Viziers* called to that situation their confidential friends, or relations; and thus the regular distribution of office begins to appear in the reigns of the two Philips, III. and IV. Rodrigo de Calderon, who was beheaded after the fall of his patron Lerma, is found to have been Minister of Finance. That department belonged in more ancient times to the Treasurer, (*Tesorero del Rey*), who was not unfrequently a Jew. If any of our readers should feel inclined to know the history of Calderon, a remarkable victim of a grandee-faction, he will find it in Mr. Dunlop's able work on the reigns of Philip IV. and Carlos II. But we must remark, by the way, that the historian has fallen into two mistakes: 1st, he makes the word *Privados* synonymous with Prime Minister, whereas it means a favourite, an intimate friend: 2nd, he seems to mistake Rodrigo Calderon for *Don Pedro Calderon de la Barca*, the dramatic poet. These two persons had nothing in common but a part of their names; the former was beheaded in 1621, the latter died in 1687. Under the famous Olivarez, his relation Balthazar de Zuniga was the true Minister of State.

take no share in the common concerns of men, confined to their own class for marriages, and excommunicated by their own pride, they are in a moral sense the Pariahs of European society; and, as extremes are sure to meet, the noblest qualities of humanity will be found proportionably injured in both the forced and the voluntary outcasts.* Female chastity in a grandee family is attested by the mean and diminutive shape of the individuals composing it. We will not affirm the converse of this proposition; but there are unfortunately strong grounds for suspecting the legality of many visible improvements of the breed.

To choose a friend (such a friend at least as an arbitrary king can have) out of the race which we have just sketched, would have been a hopeless attempt. The same pride, which readily forgot itself in the way of flattery to the Prince of the Peace when in power, was likely to be pampered into insolence by the personal favour of the monarch. Kings, like all other sensitive beings, have an instinctive perception of whatever is suited to their condition; and the instinct is stronger in proportion to the absence of thought which despotic power encourages. In olden times such monarchs attached themselves to their fools, because the fool by *profession* had not unfrequently qualities of mind and heart far superior to those of most of the courtiers; and having, by virtue of his office, surrendered every claim to personal respect, might be loved even to spoiling, without the danger of his encroaching on the arbitrary will of his royal master. From the same instinctive feeling it has happened, that, when refinement put an end to the ancient *official* display of foolery, monarchs such as Spain has been doomed to endure chose generally their confidants or favourites out of a low condition of life. Alberoni, Ensenada, Florida Blanca, not to mention the Italian soprano Farinelli, whose prudent dislike of power prevented his being the first person in the courts of Philip V. and Ferdinand VI., were taken from the lower and poorer classes; more indeed on account of the total dependence on royal favour which this circumstance ensured, than from the real abilities they possessed.

* The number of these ancient grandees amounted, according to D'Esmeñard, to about 200. We cannot resist the temptation of inserting a specimen of the grandee caste of which Colonel D'Esmeñard reminds us. 'Long after the peace of 1795, namely, in the year 1806, the Prince' (of the Peace) 'caused the army to adopt the new head-dress of French soldiers, the hair *à la Titus* without powder! This example was followed by all young men. Charles IV. himself submitted to the sacrifice of his long tail. The *blockheads*?' (*query, was the original word Fantasmónes?*) 'of Madrid were greatly alarmed at this occurrence, which caused far more sensation than did among the Athenians the tail of Alcibiades' dog. Few old men would conform to this foreign fashion. Count de Altamira, one of the first grandees of Spain, and grand *equerry* of the palace, whose stature fell short of four feet, wore a very long tail, to which he was wonderfully attached. He solicited of the king, as a signal favour, that he should be excused parting with it. This favour was generously granted to him.'

Godoy was by no means a low or uneducated man. His family had, from time immemorial, belonged to the *noblesse* of Spain, and his ancestors had enjoyed some of the first honours reserved for that class; such as admission into the military orders, commanderies in the same, and even the splendid office of grand master of two of those orders, Santiago and Calatrava, united in the same person. The circumstance of his having been born in a house belonging to his family, which, during his power, afforded a convenient lodging to the king and queen on their journey to Andalusia, proves that he was born to that honourable condition in society which, without much wealth, belongs to the greatest part of the old Spanish gentry. He and his brothers were educated to a degree far superior to that which the great majority of their class could boast of. We can assure our readers that sixty years ago there was scarcely a Spanish gentleman who, if not intended for the church or the law, was taught anything except reading, writing, and perhaps a very little Latin. Godoy and his brothers had domestic tutors, whom he afterwards raised to eminent posts in the church. He learned mathematics, belles-lettres, and philosophy. He tells us he can read and enjoy the Latin classics. That the progress he made in all these branches of knowledge was great, the state of the country in that respect renders improbable; and there are passages in the Memoirs in which we recognise the slight mental furniture of the Spanish aspirant to the character of an *ilustrado*; but such mental accomplishments must have placed him much above the generality of the gentry, and immeasurably above the whole race of grandees. Of his natural talents we believe no doubt was ever expressed by any one who knew him, and was not blinded by envy. His demeanour, even when at the highest of his power, and married to a near relative of his sovereign; when distinguished by the highest titles, and honoured by a body-guard appointed to be under his immediate command, was affable and courteous to all: he had a peculiar talent for turning a compliment without affected refinement, or the pompous verbosity to which Spanish courtesy has been always inclined.

That a king of Carlos IV.'s temper should have been disposed to attach himself to such a young man as Godoy, when Maria Luisa introduced him at court, is perfectly natural. The heir to the crown was at that time an infant; and the children of the Spanish kings are brought up under a ceremonious system of separation, which must make them strangers to their parents. Carlos IV. was a man of less energy than his father Carlos III.; but, though the latter was called the Good, his son had a better right to that title. Carlos III. was, at times, insensible to compassion: the unhappy peasant, who, starving in the vicinity of the

herds of deer reserved to be slaughtered by the king, ventured to kill one of them, was unmercifully sent to one of the Spanish *presidios* in Africa. The more than old-womanish superstition which possessed his mind could give way only to his obstinacy, resentment, and jealousy of power. The cruelty exercised by his direct command on the Jesuits, who, in one and the same night, were dragged out of their houses, all over the kingdom, to send them instantly and totally unprepared to be shipped off for Civita Vecchia, is hardly conceivable in an European country. Their sufferings may, to a certain degree, be conceived, by considering that many of them were old and infirm; that all depended on the moderate supplies of clothing which were made by the order; that none had time, even had he had the means, for procuring what was absolutely required for cleanliness, not to speak of comfort, during a sea voyage; that they were crowded into the holds of the vessels; and that, to crown their misery, they were refused landing at the port of their destination, because the king and his minister Count de Aranda had, for the sake of preventing all knowledge of their intentions, omitted to prepare the Pope for the reception of such a multitude of exiles. The ships were thus obliged to keep out at sea for many weeks, prolonging the misery of the victims on board. The young and healthy survived, the aged and weak perished. Yet the bigot who occupied the throne of Spain, the man who could enjoy no rest day or night as long as a paper written by a half-idiot friar, whom he wished to promote to the rank of saint, was away for the inspection of the cardinals who were to weigh the merits of the intended apotheosis; that man felt no remorse whatever on account of the wretchedness he had inflicted on many thousands of his unresisting subjects, and the deaths he had caused among them.

We believe that Carlos IV. was incapable of any act of cruelty, or even severity. He was jealous of a power which he had been taught to consider as his unquestionable right. Spain, with all its dependencies, was to him a patrimony which he might govern according to his pleasure, but which he wished to administer as a father, in justice and equity. His weaknesses were greater than those of Carlos III., but his natural abilities and good qualities were also superior. If his blindness to the intrigues of his wife made him an object of ridicule, his mild use of unbounded power, his sincere respect for justice and equity, his patience in adversity, his regard for the honour and safety of a son who had dethroned him, cannot but command our respect.*

* The long silence of the Prince of the Peace has been the effect of the dying command of his royal friend not to publish during the life of Ferdinand VII. The king's address to Godoy, as it is given, vol. i. p. 70 of the *Memoirs*, appears to be

This good domestic man had social affections which made him feel the want of a person upon whom he might fully bestow them, and yet be without alarm for his own authority. He wished to govern uncontrolled, except by his own sense of duty, and wanted a man who, in the possession of great power, would not attempt to use any part of it by stealth. Carlos knew how much deceit had been employed by the confidential ministers of his father, and of his uncle Ferdinand VI. Ensenada and Grimaldi† had carried on the most dangerous political intrigues with France, against the will of their sovereigns. In the young Godoy he found a lively and affectionate young man, whom he proposed to make the creature of his favour and patronage. The queen, as may be easily supposed, cherished with all her influence the decided bent of her husband. In the course of the two or three years during which, as we conjecture from various circumstances, her passion for Godoy continued to be ardent, the king's fondness for him had become too strong even for her to control. There is something shocking in the mere statement of Godoy's abuse of domestic confidence; in the endeavours to please and captivate the man whose extreme simplicity enabled his licentious wife to bring ridicule and con-

genuine. It may be given to us better worded than it was likely to be when delivered; but we recognise in it the sentiments of a true Spanish gentleman, such as we believe Carlos IV. to have been in temper and character. His father, though born in Spain, had returned to it with notions, both good and bad, which did not belong to that country. It appears from the passage just referred to that both the old king and the Prince of the Peace exerted themselves in their exile—the latter, according to his own account, with personal risk—to procure the release of the captive Ferdinand. Spanish generosity, like Spanish cruelty and revenge, have equally a tendency to exaggeration; both are carried to extremities; both are guided by an *unconscious* love of show and effect. They are like all the virtues and vices of the eastern nations; there is no hypocrisy in the case; exaggeration is considered a duty of external propriety. Distress for the loss of a person beloved will be expressed in silent tears where the progress of refinement has diminished the common estimation of external marks of sorrow; but in less advanced countries the most real affection would suspect its own sincerity if it did not give way to frantic demonstrations of anguish.

† We must refer the reader to the valuable work of Archdeacon Coxé, already quoted. It would be well if the Spaniards, who talk wildly against the Prince of the Peace, would compare his conduct with that of the Marquis de la Ensenada, and weigh their respective merits and faults, with the treatment of both after their fall. Ensenada, who was on the point of involving Spain in a war with England for his own purposes, who amassed immense wealth by the most corrupt means, and whose trial was prevented by the queen of Ferdinand VI., because she could not hope that, if tried, his life would be spared; that man was banished to the pleasant town of Granada, with his honours and a large pension. In the next reign (that of Carlos III.) he was recalled to Madrid, where he continued to enjoy considerable influence, though he never afterwards obtained office. We wish to remark, by the way, a mistake of Archdeacon Coxé in regard to the title of *Ensenada*, which he supposes to have been taken, in perfect humility, by the person who bore it, as if it were *En si nada*, i. e. *in himself nothing*. What Mr. Coxé mistook for a proof of modesty, was a pun against the Spanish minister. *Ensenada* means a *cove*: we believe that the place from which the title was taken is near some small bay, though we know not precisely where.

tempt upon him almost without disguise or precaution. But we must make allowances in the case of a very young man, thus placed entirely in the hands of an artful woman, and that woman a queen. When once delivered, by her inconstancy, from an intercourse which must probably have soon become an odious thralldom, young Godoy might, as we are convinced he did, requite the paternal kindness of the king with that faithful attachment which he showed him to the last moment of his life. The queen herself (a moral victim, like many in her unfortunate rank, of a necessarily bad education) found at last that the man whom, in her fits of jealousy, she had been obliged to spare as the truest friend of her husband, was at length indispensable to her in the same character.

We cannot follow the Prince of the Peace in the detailed account which he gives of his administration. The period of his first government was, unquestionably, one of great difficulty and danger. On the policy of his measures every one is at liberty to pass judgment; but it is indeed inconceivable how sufficient grounds for a charge of political criminality can be found against him by any impartial man who shall refresh the memory of the public events of that epoch, keeping the Prince's narrative in view. We fear that there will be not a few among his English readers to whom the fallen statesman's anti-anglican feelings will be a sufficient cause for general condemnation. But the question before us is not whether the Prince of the Peace acted wisely, in regard to the treaty of Bâle and the alliance with France, but whether, even if the peace which gave him his title should be found to have been against the true interest of his country, the false step is to be declared an act of treachery, or an error of judgment. The first part of the alternative is perfectly disproved by the narrative before us. It is a mistake to suppose that Carlos IV. was totally inactive in regard to the government of the country. Though extravagantly fond of shooting, he was not so fully occupied by that amusement as Carlos III. Lord Rochford's description of the Court of Madrid in 1764¹ contains enough to acquit Carlos IV. and the Prince of the Peace of being the cause of the evils which preceded the French invasion. Carlos III., in Lord Rochford's opinion, was not a weak-minded man: we certainly think that he was inferior to his son in intellectual power, though he exceeded him in practical knowledge of the world; but 'the great misfortune' (Lord Rochford proceeds) 'is, that his favourite diversion does not allow him the necessary time' (to manage the affairs of the country) 'and of course, in order to get rid of his ministers that he may pursue his shooting, schemes laid before him do not undergo that examination which it is to be wished they did.'

* See Coxe's *Bourbons*.

Now let those who take an interest in the subject (and surely those who devote the name of Godoy to execration are much to blame if they will not examine the case) compare the conduct of Carlos IV. with that described in the above passage; let them consider the particulars which the Prince of the Peace gives us, of the consultations held in the king's presence concerning the difficult affairs which arose from the French Revolution; let them observe that the proclamation which declared war against France, after the execution of Louis XVI., was written by the king himself; let them finally endeavour to make out a clear notion of the habits and character of the king, as may be done by the aid of the numerous traits and facts scattered over Godoy's Memoirs; and they will be convinced that public opinion has treated Carlos IV. with great injustice. We do not blame those who have maintained that unfavourable view of him; we have ourselves entertained it: nor indeed was it possible to think otherwise, when, owing to the secrecy with which every thing relating to government was conducted in Spain, to the irresponsibility of the ministers, the undue influence of the queen, and the apparent share of her corrupt passions in the management of the public interests, every measure might properly be suspected to be only a link of some wicked plot, or, at the least, a result of blind chance or caprice. Such is indeed the lot of the best-intentioned and most inoffensive hereditary despots; and, so true is it that constitutional checks are the only safeguard of the honour of monarchs.

At the death of Carlos III. the treasury was exhausted. The British ambassador just quoted tells us that Squilace, that king's Italian confidant, and minister of finance, was at a loss to find means for the king's extravagance in the chase, pleasure buildings, and private roads. Squilace escaped as narrowly as Godoy from the hatred of the grandees and the knives of the populace, whom the few active members of that class urged into a dangerous insurrection. Carlos IV. and Godoy, on the contrary, though they maintained a most expensive war, cannot be accused of having oppressed the Spanish subjects by an increase of taxes.

A most absurd and ruinous scheme, for raising the paper money or *vales* to the value specified upon them, was attempted with great loss and general disturbance; but Godoy had no share in the government at that time, and was never thought to have supported that ruinous plan. The only class who had financial complaints against him were the wealthy, idle, and usually profligate higher clergy: and, even in regard to the church, no measure of confiscation was used under Godoy's ministry. c

The *Galicism* of Carlos III., and his favourite advisers, Aranda

and Grimaldi, was as violent as it was injurious to Spain; but whatever preference was given to French alliances by Carlos IV. and his minister Godoy, arose rather from the arrogant, unscrupulous, and insulting politics of the English government at that period, than from any prepossession in favour of France. 'I have spoken,' says the Prince of the Peace, we believe, with perfect sincerity, 'of the bad faith of England in her character of *ally*. I am far from accusing the whole nation; the English people and their cabinet are in perfect contrast with each other.* Indeed, the account of the efforts made, under the direction of Godoy, to save the life of Louis XVI., and of the coldness with which Mr. Pitt treated those efforts, will, at least, excuse the opinion entertained by the Spanish ex-minister. We say *excuse*, because we wish not to prejudice the cause of the oppressed individual whose political conduct we are examining by anything that may awake the bitter party feelings which would be roused by a more decided judgment on Mr. Pitt's policy at that critical period.

But there is a consideration, in regard to Godoy's policy, to which only those who know thoroughly the country which he governed can give a proper weight. Count de Aranda, who was in mind and taste a Frenchman, had recommended peace with France before Godoy was appointed prime minister in November, 1792. Considering the active part which the king took, at that period, in the deliberations of his council, the jealousy with which he always maintained his own authority, and the youth of his new minister, then in his twenty-fifth year, we feel confident that the general tone of Spanish politics depended, not on Godoy, but on the feelings of the monarch himself. The war with France, after the catastrophe of Louis XVI., has been attributed to Godoy's vanity and love of military display. It has been said that the king felt no concern for Louis's fate; that he had conceived a prejudice against his unfortunate relative, in consequence of a reported taunt in reference to the queen Maria Luisa. It has been added that Carlos spoke in a tone of unfeeling triumph when he heard that Louis had perished; but, though we once gave credit to this story, further consideration makes us now disbelieve it. The general reports in Spain, at that time, agreed in representing Carlos as deeply affected; and so indeed he must have been, in spite of personal resentment, if he felt any, were it only in consequence of the awful warning which that execution gave to all arbitrary monarchs. There is perfect sincerity on the face of the statement which the Prince of the Peace has published, of the unbounded efforts, made under his direction and by his master's orders, to save the life of Louis. We could

* Memoirs, vol. i. p. 452.

also attest, if the most unquestionable historical facts did not make that attestation unnecessary, the state of universal excitement against France which broke out in Spain when the people learnt the death of the French king. The war could not be avoided. If ever public opinion pressed upon the Spanish government it was certainly at that moment. The clearest proof of this is found in the amount of the voluntary donations which that poor and exhausted country presented for the expenses of the war against France. The following passage is curious :

‘Enthusiasm displayed itself in the very lowest classes of society. The patriotic gifts lavished for upwards of two years exhibit an example without its parallel in the history of modern nations. The official gazettes, in which the donations were recorded, presented the names of common workmen, of obscure artisans, of lonely women, of poor people supported by public charity. The indigent blind of Madrid and of other large towns, where their only resource is derived from the popular songs and wailings* which they hawk about in the streets—bards of a novel character, not content with gratuitously hawking about war against France, they would also loosen their purse-strings, and contribute out of their poor but honest earnings. Some of them made donations at which the rich man’s pride would not have blushed; humble manufacturers, who had no ready money to bestow, supplied goods and the product of their trade or labour; those who possessed nothing solicited to be enlisted as common soldiers. Many persons tendered their property and their personal services; widows consented to part with their children. A single fact will suffice to illustrate the public feeling. The enthusiasm and instinct of national preservation were at such a height that the government had no occasion to resort to the ordinary method of drawing for the militia, or of recruiting for the service. The army was placed upon a war footing by the surprising influx of Spaniards of all classes, who, of their own free will, hurried forward to fill its ranks.’†

Spain refused to disarm, and the French republic declared war. That war began with honour; but, though the third campaign gave decided advantages to the republicans, neither the conduct of the Spanish troops in the field, nor of the administration at Madrid, presents any cause for a blush to Spanish patriotism. The flame of enthusiasm which had blazed up so brilliantly at first was now spent: the country was as desirous of peace as it had appeared eager for war. Is this (it will be asked) consistent with the well-known obstinacy of the Spaniards? We answer, that the true source of that obstinacy, whenever it appears, lies in the fierceness of their vindictiveness; and that the war with the republic had not called that hot passion into action. The

* We cannot guess, with confidence, the Spanish word which has been here mis-translated. Perhaps it is *endechas*; if so, *elegies* would have come nearer to the meaning.

† Godoy’s Memoirs, vol. i. p. 195.—Note.

enthusiasm displayed against the French was an effervescence of national vanity, helped by the efforts of the priesthood, who hundered from the pulpits as if they had been preaching a crusade: and certainly much in that light was the war seen by the great bulk of the Spaniards. They were confident of chastising the French, whilst they should save their own souls by the gratifying act of killing heretics and atheists. But, when they found out that it was easier to gain a plenary indulgence by visiting some sanctuary at home than by carrying their arms to Paris, their transient eagerness for war gave way to their permanent and characteristic dislike of exertion. The national feeling, we are convinced, was followed by Carlos IV. and his prime minister, both in the declaration of war against France, and in the successful negotiation for peace at Bâle.

There is much misconception among us as to the opinions and prejudices which have generally prevailed in Spain on the subject of alliances with other nations. The resolute spirit with which the majority of the Spaniards, especially of the lower class, resisted Napoleon's invasion, is generally taken as a proof of the unconquerable antipathy with which the inhabitants of the Spanish peninsula regard their Gallican neighbours; but the inference is not correct. The nation was not equally divided by the opposite sentiments of inclination and aversion to France in the war of succession; a great majority was for the French family; and the success of the house of Bourbon made the minority that had opposed it diminish with great rapidity. For more than a century Spain has been receiving instruction from France; whatever progress has been made among Spaniards may be traced exclusively to French books. The opposition of that portion of the priesthood who, faithful to their love of darkness, were the most inveterate enemies of France, served only to endear and strengthen the mental connection of the two nations. We will be bold to say, that, but for Napoleon's insolent rashness, *real opinion*, the opinion of the Spaniards who could think at all, would have been for the change he proposed. Nor will it be found that the numerous class of those who act by mere feeling is, in Spain, essentially adverse to France. The aversion which existed among the lower classes half a century ago was entirely occasioned by the multitude of poor Frenchmen who, at that time, and for a long period before, used to exercise their industry in such trades and occupations as even the lowest of the natives thought, at that period, beneath their dignity. With provoking absurdity the Spaniards were highly indignant when they saw the hard-working Frenchmen carry back to their country the not very abundant fruits of their industry and parsimony. But the natives of the

Peninsula, especially those of the north, have gradually dislodged the French adventurers, and much of the old popular prejudice has disappeared with the cause of it. Now, the true view in which the Spanish disposition in regard to foreign alliances should be examined is that of contrast between the two nations that have at all times contended for influence in that country, namely, England and France. Considering the subject in that view we are convinced that the Spaniards, though more ready to quarrel with France than with England, have always been less suspicious of the policy of their neighbours than of the spirit of the British Cabinet.

The sources of this feeling are obvious. Since Spain planted her colonies in America, British commerce and British enterprise have been to the Spanish peninsula an incessant cause of the bitterest irritation. The fatal errors in political economy, which have so long checked the progress and increased the sufferings of mankind, gave irresistible attractions to the English contraband trade, on the one hand, whilst, to the Spaniards, they represented the loss or disturbance of a ruinous monopoly as a most intolerable evil. The insolence of the adventurers, who, in pursuit of gain, left no avenue into the very heart of the Spanish possessions untried, was regarded as the interpreter and exponent of the intentions of the government whose flag emboldened the offenders. The popular nature of our government, again, obliged it frequently to turn a deaf ear to complaints, which, however well grounded, would not be easily allowed by mercantile cupidity and national pride. Hence the repeated wars between England and Spain, attended with unfailing loss and humiliation to the latter. How could the name of England be popular in Spain, where that name and the idea of a naval power which in the course of two wars had annihilated their once splendid marine, were inseparably connected? Can the Spaniards easily forget the defeat of their desperate attempt to recover Gibraltar? Can they turn away their eyes from that foreign fortress which bids them defiance upon their own land? Will not the miserable end of the sailors who perished in the scarcely armed frigates which Mr. Pitt ordered to be waylaid in the midst of peace, be present to all classes of Spaniards for many generations? Can it be easily forgotten by the more enlightened among them, that, so soon as the fall of England's formidable rival was accomplished on

* Most of our readers will recollect the melancholy case of the four Spanish frigates in 1804, whose commanders, totally unprepared for an action in the midst of peace, were summoned to surrender their ships by the way of *deposit*: an intimation which those brave officers must have felt as a bitter mockery of their honour. One of the Spanish vessels was blown up, the three others surrendered after a hopeless but gallant defence.

Spanish ground, Spain was left at the mercy of the cruel and worthless Ferdinand, that he might proscribe the men to whose undeserved fidelity he owed his throne?—that he might restore the Inquisition, and fill its prisons with the stoutest opponents of French usurpation?—that he might abolish the very name of liberty, which had been proclaimed in the country?—that he might break his most solemn oaths with impunity?—that he might send men to the gallows who had bled to obtain his restoration?—that, like a sensual and brutish master of a herd of cattle, he might slaughter, and enjoy himself—might pen them up while he slumbered, and strike again when his appetite for blood had revived?

No: the first foundations for true friendship between England and Spain have been just laid, in the honest, the generous alliance which, for the benefit and improvement of Spain, is now maintained by Government. Those that have eyes to see, and ears to hear, may distinguish in the tone of the Spanish journals the effects of the agreeable surprise which the people feel from the conviction, never before experienced, that England supports Spain with honourable, disinterested, truly *moral* views: that England abhors the idea of seeing the younger Carlos, that true representative of despotism, that faithful supporter of its props, ignorance and superstition, seated upon a throne which neither the fundamental laws of the country nor the will of the nation can ever confirm to him, even if (which heaven avert) he were by chance or treachery to soil the palaces of Madrid with his presence. Right feeling, we are convinced, and the principle, unknown to politicians of old, that politics do not supersede the rights of conscience, have dictated and hitherto supported the spirit of our present alliance with Spain. But never was honesty so identical with the best policy as in the present case. France, Spain, Portugal, cannot be governed severally according to the two struggling systems of popular and despotic principles. The attempt to *conservatize* (we shall be best understood by that word) all of them again is a vain, drunken dream: that of regaining any one of them to the expiring reign of darkness, is pregnant with misery, blood, and vengeance. The three countries will form but one faithful ally to England, if, under her friendly influence, the irresistible spirit of improvement is seconded, respected, and counselled. That spirit is truly gentle when it is not insulted; it

* We cannot remember the name of a brave man, a colonel, who, upon very insufficient evidence of an attempt to oppose the tyranny of Ferdinand VII., was dragged to the gallows at Seville, merely for the purpose of striking terror into people's hearts. The dishonour which according to Spanish notions attaches to death by hanging, cannot be conceived by any but the natives themselves; yet that victim was denied the death of a soldier.

has now grown to that state in which nothing but a physical revolution of the globe, hardly sparing seeds for a new society, could extinguish it. Priests and their royal nurslings, their Charleses, and Carloses, would be wise if they sat down to enjoy quietly, and in a corner, the still remaining nice crumbs and fragments of their former feast; for the nearer they may force themselves to their old places of power and enjoyment, the more certain and fearful is the destruction that awaits them. Deeply persuaded of this truth, we feel assured that it is England's interest, as it will be her glory, to lead the youthful spirit of liberty by the hand; to teach it to respect itself, by respecting it; to look upon France and the Peninsula, conjointly, as already the inalienable possession of that growing giant power; and never to provoke its hatred by any connivance at the reappearance of its fast declining, but still bloody opponent, despotism, in its neighbourhood.

The case of Godoy himself lies within a small compass. He asks, what were the crimes which have brought upon him exile, confiscation, and disgrace? We certainly cannot find them. If the worst which has been said of him were self-evident, he might still justly complain of the total irregularity of the proceedings. But whoever shall take the trouble to read his Memoirs will see that not one instance of political crime is substantiated against him. He served his king according to the established notions which for many centuries had made the sovereigns of Spain absolute in their government. During his ministry he unquestionably exerted himself in promoting mental freedom, and its direct result, mental improvement, as far as the confirmed tyranny of the priesthood and the superstitious fears of his master permitted. In following this spirit of improvement, the young minister had to overcome the resistance of a totally opposite system, which had been established in the latter part of the preceding reign, and pursued by its author, Florida Blanca, under Carlos IV., to whom the old king had strongly recommended him. Some improvements had indeed been made by the former monarch, at the suggestion of his favourite minister. But the indications of the political convulsions which, having begun in America, and, strange to say, been encouraged there by the advice of Florida Blanca himself, were now evidently appearing in Europe—gave a sudden turn to his views, and inspired him with the most ungovernable fear of all intellectual progress. His old royal master easily caught the infection:—

‘Seized with apprehension, dejected, sharing the pusillanimous hesitation of his prime minister, Charles III. suddenly suspended the useful reforms to which he had applied himself; he exclusively confined his attention to a gloomy and rigorous superintendence over his own dominions.

Florida Blanca, who knew not to govern except by ministerial *absolutism*, was distrustful of every one. Insulating himself from all, he forbade every foreign communication; the supreme authority wrapped itself up in impenetrable mystery in order to crush the very semblance of discussion; he consummated the destruction of the council of state, and made the whole administration centre in his own person.

By means of a supreme state junta, composed exclusively of the ministers, Florida Blanca had the government of the whole country more at his own discretion than Godoy at any period of his power. But this instrument of ministerial supremacy was removed by royal order, only a few months before the appointment of Godoy to the state department; a measure which, since it would be unfair to attribute to his influence all the wrong and no good that was done, we may believe to have been suggested by him. He consequently began the exercise of his office under the control of the constitutional council of state, which had been restored on the dissolution of the supreme junta. In this council, at which the king presided, all measures of government were discussed by men in no way dependent on the minister. The existence of that council during Godoy's administration, and, more than its existence, the frequent exercise of its functions, contradict the supposition of uncontrolled power in his hands. It is true, that whatever the king determined to do was done, whether the council had advised it or not; and it is also unquestionable that Godoy had great influence over him. But there seems no ground for charging him with an abuse of that influence to the detriment of the nation; and considering how much was done in favour of a certain degree of liberty, under an absolute king full of religious and political prejudices, there is a strong presumption that the influence of his *protégé* was employed with advantage to Spain. For ourselves, we have been long convinced that, badly as that country was governed under Godoy, few Spaniards would have been able to do so much good under the then existing circumstances. If we except the invasion by Napoleon, which, as it appears to us, no conceivable system of previous policy on the part of Spain could have averted, and which was hastened and made more disastrous by the treasonable intrigues of the Prince of Asturias and his adherents, where shall we find a more tolerable period for Spain since the death of Philip II. (if that reign of blood and oppression is to be reckoned glorious in the annals of that unhappy country)? Let those who wish to be just cast their eyes over the records of the reigns of the Austrian kings, and compare them with the worst days of Carlos IV.: or, if the thorough misgovernment of the two last Philips appear to give an undue advantage in the comparison, let it be made with the reigns of

the Bourbons themselves. 'It would be difficult' (says Coxe) 'to select a period within the last two centuries in which the interests and welfare of the nation were so frequently sacrificed to the private views, passions, and prejudices of the sovereigns,' (namely, Philip V. and Elizabeth Farnese.) The reign of the immediate successor Ferdinand VI., which was certainly a sort of breathing-time to the Spaniards, owed its partial prosperity to external circumstances, and some negative qualities of the sovereign; for it was in that reign that Ensenada governed Spain for his own advantage, and that a sickly and avaricious queen, who would not allow any human being to approach her husband except under her watchful eye, prevented the dispatch of all business when illness did not allow her to be present. This is attested by Sir Benjamin Keene, the English Ambassador at Madrid, whose instructive dispatches are the source of, perhaps, the highest interest which the historian of the Spanish Bourbons was able to procure for his narrative. The same honest and profound diplomatist gives a picture of the enormous evils which oppressed the monarchy under Ferdinand VI. After a melancholy list of abuses, he says, 'I will add, of corruption too in the very tribunals, which his majesty knows as well as any one, complains of, and yet does not remedy.'* It was this king, this weak man, whose wisdom has been so absurdly exalted, that kept up a weekly correspondence with his brother of Naples, who succeeded him as Carlos III., consisting in a journal of the game which they had respectively killed.† Such accurate and constant attention did these princely models bestow on their own amusements, while they wanted patience to listen to the affairs of the nation. By such kind of assiduity it was that Carlos III., THE GOOD! could boast, about the end of his life, that he had killed with his own hand 559 wolves and 5,323 foxes; congratulating himself that he had delivered the country from those pests—as if he had not encouraged the breed for his own pleasure.

The more we compare our historical with our personal recollections, the greater is our conviction that, had it not been for the catastrophe which came upon Spain from the side of France, the reign of Charles IV., under the influence of Godoy, would have been universally accounted one of slow but constant improvement. We refer our readers to Godoy's Memoirs for the proof of this fact; and we vouch for the general accuracy of his statements. Literary taste had never been so general or so pure; science was encouraged; young men of distinguished abilities were sent abroad to enlarge their knowledge that they might communicate it to

* Coxe's Bourbons, vol. ii. p. 199.

† See this fact attested by the same authority, vol. ii. p. 217.

their countrymen. The instruction of the agricultural classes was promoted by means of a Weekly Journal of Agriculture, established directly and wholly by the Prince of the Peace, and conducted with eminent ability. The power of the Inquisition was checked, at the personal risk of the Prince himself, whose name was found in the lists of suspected persons, and who would have fallen a victim to the hatred of the priesthood if the king had been as weak and superstitious as his father.* It was, we are convinced, by this comparative freedom, that the revolutionary ferment which Florida Blanca endeavoured to stop by severity, and which, had that system continued, would have certainly burst out only to be quenched in blood, was gently and imperceptibly allayed after and in consequence of the peace of Bâle. The Spanish minister obtained from the French leaders of that period a cessation from the attempts to revolutionize Spain, which had been incessantly carried on by means of emissaries and inflammatory publications. Alluding to the shocks which at that time Europe was every where suffering, the Prince of the Peace appeals to those who witnessed the mildness of the internal government of Spain.

‘Let my enemies say, if at this stormy epoch trials by the Inquisition, arbitrary imprisonment, severe punishments, were known amongst us. Afterwards, however, when the power had passed into other hands, our country was the scene of all sorts of calamities; thousands of Spaniards, accused of revolt or treason, and condemned to exile, excited mistrust and the compassion of foreigners; the national character was compromised, dishonoured, throughout Europe; but so long as I had the honour of presiding over the government, call to your recollection, my dear countrymen, that spies and informers were neither welcomed nor even tolerated. No family had to fear for the existence of a father, a son, a relative, or a friend. My administration has left no traces of blood; I have deprived the country of none of its children; the public prisons confined none but malefactors legally sentenced; state trials were extremely rare; they were rather menacing’ [warning?] ‘than formal.† If any man adopted opinions which were dangerous or revolutionary, it was thought right to give him a salutary admonition, to intimate that his conduct was watched. If a man of talent inspired some apprehension, I lost no time in drawing him over to the service of the state: when suitably employed, he ceased to be dangerous; he became useful. They whom a rigid inflexibility, or even a marked distrust,

* The insolence of the Inquisition had grown to such a pitch that Carlos III. had banished the Inquisitor-General, probably at the suggestion of Count de Aranda. When the news of the taking of the Havannah, by Lord Albemarle, on the 12th of August, 1762, arrived at Madrid, the king’s confessor observed, that on that same day, the year before, the Grand Inquisitor had been banished. The Inquisitor was instantly recalled.

† This passage is evidently mistranslated: *formal* (which we suppose to be the word used in the original Spanish) means *in earnest*—the very reverse of *formal* in the common and every-day sense of the word.

might have rendered discontented and objects of apprehension, became attached to the government, which had laid open to them all the roads to honour and fortune. Who can accuse me of having feared the light of knowledge, or of seeking to extinguish it ?

Here we have a genuine picture, drawn in the most unconscious manner, of the mildest administration of despotism, the *enlightened Despotism* so much praised in many parts of Europe at this moment. But let us judge honestly and impartially; could anything above that be attempted by a minister of Carlos IV. between the years 1792 and 1798? Two of the most enlightened Spaniards, Jovellanos and Saavedra, were called to the ministry when Godoy obtained from the king his release from office. We ask, did they venture to do even so much?—did they alter the course of government and policy which had been followed under their predecessor? Not at all. The obstacles to substantial improvements, to improvements which might lead to a regeneration of the country, could not be removed by anything but a revolution.

Here we must undertake to explain, as well as we can, the nature of some of those difficulties. The Prince of the Peace could not touch upon some of them in common decency. With much good nature and an affectionate character, the king united suspicion and reserve. He loved Godoy, and whenever his enemies, not unsupported by the queen herself, attempted to shake the hold which the favourite had on his affection, he loaded him with additional wealth and honours. But Carlos had been made to suspect that even this highly-favoured friend of his was not safe from the seduction of French political notions. There is a curious fact which proves this state of mind in the king.

When Godoy had obtained from his master that Jovellanos, one of the most learned and accomplished Spaniards of that period, should be called to the ministry out of the banishment into which court intrigue had sent him, the French Directory was governing France in a manner which gave a fair promise of far better days than that country had just passed through. Godoy, who is well known to have possessed the art of writing a good letter, communicated to Jovellanos both his recall and his promotion; and concluded by saying, ‘Come then, my friend, to our directory, and help us to serve the country.’ Jovellanos must have shown this letter to some enemy of Godoy. The detached phrase, about the Spanish directory, was immediately reported to the king. He asked Godoy for an explanation. Conscious of his innocence, he begged leave to bring instantly the copy he had kept; but the king would not let him fetch it. He said he was satisfied, and desired the subject never to be mentioned. Yet the

misgiving occasioned by the report continued to prey upon his mind, till, dethroned and fugitive, he confessed to his friend and companion in misfortune that the letter in question had constantly disturbed him.

Perhaps the most inexplicable fact of the reign of Carlos IV. is the long continuance in office, as minister for the home department, (Gracia y Justicia,) of the Marquis Caballero. He was one of those men who might seem the immediate production of the powers of darkness—a perfect genius for the work of plunging mankind into the lowest depths of ignorance, mental slavery, and superstition. Caballero had been judge at Seville, where he married the sister of a titled nobleman, a lady worthy of a much better lot. He seems to have been chosen by the queen to counteract the influence of Godoy over her husband, and to be the instrument of her own designs, which it would seem, the Prince of the Peace would not always promote. We believe that Carlos himself wished to have Caballero, as a sort of antagonist power to his own proneness to follow Godoy's views. He could not doubt the loyalty of his friend; but he suspected him of being too fond of progress and improvements. The queen herself, though smarting from the jealousy, or rather mortified pride, which Godoy's long and decided preference of a lady, whom he married afterwards in France, excited in her, even long after her intimacy with him had ceased, valued him too much as a friend to wish his ruin. Instead of all other punishment, Caballero was inflicted upon the truant Prince of the Peace; and, unfortunately, upon the whole country too. Caballero's power ceased only with that of Carlos himself; it ceased, and he wished to attach himself, of course, to the successor in the throne. But he was too bad even for Ferdinand VII.; and we believe that he was obliged to take refuge in France. It was Caballero who suppressed all the chairs of Moral Philosophy in the Spanish Universities; it was he who issued a royal order that, with the exception of the people who brought provisions for the market, no one should come to Madrid unless he had obtained leave from the king: it was he who, having all the patronage of the crown in his hand, contrived so to offend even those whom he appointed, that he had not a well-wisher in Spain. The Prince of the Peace was so far from being the sole dispenser of patronage, except in the army, that, rather than ask Caballero, he abstained from serving many persons whose talents he valued.*

* The Prince of the Peace had formed the project of making the Spanish troops encamp in various parts of the country, in order to accustom them to the hardships and evolutions of war. He proposed this plan in a council of ministers, at which, as usual, the king was present. The mention of the camps was instantly followed

But there is one transaction which has raised a strong suspicion of his having wished to sacrifice great political interests to his own personal advantage—we mean the partition of Portugal intended by Napoleon, who had appointed him a share. The question is, did this scheme originate with Godoy, or was it a hasty conception of Napoleon himself, which he intended to lay aside as soon as it should have answered his purposes? Colonel Napier, one of the most just as well as most eloquent of modern historians, having, with his usual penetration, considered the whole transaction, is inclined to attribute the plan to Napoleon himself.* It adds weight to this opinion that Colonel Napier, though free from the vulgar prejudices against the Prince of the Peace, has evidently gone too far in the contempt with which he treats his personal character. Colonel D'Esménard defends his friend with unquestionable power upon this point. He observes that Napoleon had for many years contemplated the reduction of Spain and Portugal as absolutely necessary to his comprehensive plan of hostilities against England.

'The system of continental blockade,' he proceeds, 'proclaimed on the 21st November, 1806, was the announcement of the unavoidable and proximate occupation of the Peninsula. It was easy to foresee the storm which threatened the Spanish territory and the reigning family. . . On the 5th of October, 1806, the Prince of the Peace published his address or proclamation,† a document which has acquired historical

by a command of the king not to say another word about them. He was not offended with Godoy: but desired him, in private, to consult older men than himself. Such facts disprove the total blindness of the king in regard to his favourite. We must add our conviction that it was Caballero who caused the imprisonment of the venerable Jovellanos at Majorca. Released by the revolution of Aranjuez, he was one of the very few respectable members of the central junta. His death must have been wretched, but for the support which he could not fail to derive from the consciousness of his integrity. On the dissolution of the central junta, he had attempted, with the other members of that body, to land at Cadiz, whither they had taken their flight from Seville by water. But the juntas of Cadiz and all the other provincial juntas were now ready to vent their resentment against the *central*, which had taken the power out of their hands. Jovellanos, who was very old and in a precarious state of health, was obliged to proceed by sea to a port of his native province Asturias. In a dying state, and wishing only to be allowed to expire on land, the popular phrensy compelled him to sail again, to try for admission in any other part of the coast. But he could not reach the land alive. A storm came upon the vessel, and the tossing hastened his death.

* See *History of the Peninsular War*, vol. i. pp. 13, 14.

† Of this proclamation Colonel Napier says: 'A proclamation issued by the Prince of the Peace previous to the battle of Jena, although hastily recalled when the result of that conflict was known, sufficiently indicated the tenure upon which the friendship of the Spanish court was to be held.'—*History of the Peninsular War*, vol. i. p. 4. The following words are from a note of D'Esménard to the passage inserted above: 'The proclamation of the Prince of the Peace was antecedent to the Berlin decree by a few days only. . . . The battle of Jena took place on the 15th or 16th of the same month of October, 1806. See the Second Part of these Memoirs, where the Prince of the Peace explains and justifies the measure he resorted to.' The Second Part referred to by M. D'Esménard has not yet appeared.

importance, and which has at least refuted, beforehand, the numberless calumnies heaped upon him. This proceeding was blamed after the event had taken place: the defection of those who had urged him to it, who had offered to support the cause he was advocating, exhibited in more glaring colours the too-confiding boldness of the Spanish generalissimo; but it is self-evident that the man who carried patriotism and his sense of national independence to a degree of temperity, did not deserve to be accused, at a later period, of *betraying his country to Napoleon*.*

It requires great assurance in the enemies of the Prince of the Peace to proclaim such an accusation, after the letter of Ferdinand, the Prince of Asturias, to Napoleon, had left that worthless branch of royalty without defence against the same accusation, and all his advisers involved in a similar charge. Ferdinand, as is well known, had addressed himself on the 11th of October, 1807, to the Emperor Napoleon, praying for his interference as the 'hero destined by Providence to save Europe, and to support thrones:' asking an alliance by marriage with Bonaparte, and requesting that this communication should be kept secret from his father.† Now the treaty of Fontainebleau, by which the Alentejo

* D'Esménard, *Introd.* pp. xxxix. and xl.

† See Colonel Napier, vol. i. p. 13. The French Ambassador Beauharnois, who hoped by this means to raise his daughter or niece (we do not remember which) to the Spanish throne, assisted Ferdinand in this transaction. 'After Ferdinand's return to Spain in 1814,' says D'Esménard, 'M. de Beauharnois received in Paris the grand cross of the order of Charles III.' The character of Escoiquiz, Ferdinand's tutor, is forcibly, and we believe truly, painted by the Prince of the Peace, vol. ii. p. 303, *et seq*; but he has spared the Duke del Infantado, who assisted Ferdinand in this intrigue, and was one of Godoy's bitterest enemies. Infantado, being one of the best specimens of the *Grandee* class, becomes, when known, the clearest proof of its miserable degeneracy, and of the incurable mischiefs resulting from its exorbitant privileges. The Duke del Infantado's mother was a German princess, connected by family with the late Queen Charlotte of England. She was a woman of vigorous understanding, and through her influence he received a better education than most persons of his class. Infantado was from his youth as ambitious of distinction, as nature had made him incapable of obtaining it fairly. The elevation of the Prince of the Peace mortified his family pride; he looked up to the heir of the crown as a fit instrument to ruin Godoy; and, in conjunction with the contemptible priest Escoiquiz, he is believed to have planned the address to Napoleon. There seems no doubt that he was one of the leaders in the insurrection of Aranjuez, which obliged Carlos IV. to abdicate the crown. Holding the rank of General, he attempted the command of one of the first Spanish armies which were opposed to the French; but only showed his total want of talent. He then turned his eyes towards politics, and finally, after the dispersion of the central junta, he was made one of the members of the weak and ineffectual regency of Cadiz. On the return of Ferdinand he expected that his influence would be in proportion to the attachment he had shown to that prince; but we understand that the unfeeling man who had dethroned his own father, and allowed him to suffer want in exile, was equally ungrateful to the duke his friend. We have heard that Infantado's conduct towards one, whom a person of the highest character and veracity, who knew him intimately, described to us as 'in disposition and evil tendencies as bad as Nero,' was perfectly abject. To exhibit in the clearest light the evils of that political position which in the Duke del Infantado could thus pervert a character originally inclined to the path of fair and honest distinction, we will add an anecdote.

and the Algarves were to be erected into a principality for Godoy, was signed on the 27th, and ratified by Napoleon on the 29th, immediately after having received the two letters of Ferdinand and his father; that is, as soon as the opportunity was offered him of interfering in the quarrels of the royal family. As the French armies advanced, Ferdinand's party, supposing that they came to set him on the throne, could hardly dissemble their joy. On the contrary, the Prince of the Peace, far from being buoyed up by the expectation of the new principality, immediately proposed to the king and queen the removal of the court to Andalusia. That measure, had it not been frustrated by the partisans of Ferdinand, would have given a more auspicious beginning to the resistance against France, than the servile behaviour of the man who forced his way to his father's throne only to put himself into the hands of the French emperor in the most abject manner conceivable. We perused the proclamation of Ferdinand, (a document which has not, to our knowledge, found its way into the histories of the Spanish revolution,) exhorting all his faithful subjects, the inhabitants of Madrid, to prepare themselves for the public reception of the emperor, who, as Ferdinand believed, was on his way to the capital of Spain. This proclamation was placarded in all the most frequented places of Madrid.

Now the history of the last treaty of Fontainebleau is thus given by Colonel D'Esménard. It is supported both by internal probability and external testimony; for that officer tells us, that he repeats word for word what he himself heard from the lips of the Grand Marshal Duroc, in the presence of Duroc's brother-in-law, Don Joseph Hervás, a son of the Marquis of Almenara.

'On the 26th October, 1807, he (Napoleon) summoned Duroc to his presence. "Attend to me, Grand Marshal. See Izquierdo, whether

dote, the circumstances of which we know with the greatest certainty. When the central junta retreated to Seville, in 1809, a periodical called *Semanario Patriótico* was established in that city, which, though of short duration, owing to the jealousy of the Government, enjoyed considerable popularity. Antillon, one of the most upright and able Spaniards of that period, who died a member of the last Cortes of Cadiz, began in the *Semanario* an account of the military events which had occurred since the revolution of Aranjuez. The papers relating to that subject were by far the best compositions published in the periodical. As the narrative, however, got near the period of Infantado's military command, the censor of the journal, an intimate friend of the editors, received a message from the duke, desiring him to call upon him. This was a presumptuous liberty, for the censor was a highly respected man, personally unknown to the duke, who had no right whatever to summon him to his presence. When, however, the censor called to know his excellency's pleasure, he laconically told him, that he was determined not to allow his military command to be canvassed; he therefore expected that no more papers on the history of the campaign should be allowed to appear. What means the duke might intend to employ, in case of disobedience, we know not: he was not in office, and could employ no legal ones. The censor, however, could not safely resist the command. Such were the notions of freedom entertained by the Duke del Infantado.

at your house, at Talleyrand's, or at Hervás's. This must have an end. I send the *petty Bourbons of Etruria* to the northern extremity of Portugal, with the title of *Kings of Northern Lusitania*; their dominion will be on the sea-coast. Junot is on the point of occupying Lisbon and the mouth of the Tagus; he will maintain possession of the country. I shall then see what next. What has that Prince of the Peace to do in Spain? He acted last year the part of a bully. He it is who leads the court of Madrid. Tell him that he shall have the Algarves: let him be gone: I have no need of him to arrange matters with Charles IV. and his son, who are at variance with each other, and who both call for my assistance."*

We agree in D'Esménard's explanation of this arrangement: the gift of the principality of the Algarves was a banishment. The Prince of the Peace saw it in that light.

'I have seen,' says the Duke of Rovigo, quoted by Colonel D'Esménard, 'nothing to warrant the belief that the Prince of the Peace intended to take possession of the *rest* dominions of which he had secured to himself the enjoyment. On the contrary, the Prince of the Peace was already informed of the Milan decree, which appointed Junot governor of Portugal, and directed him to carry on the administration of it in the emperor's name. The principality of the Algarves was therefore no longer in question, and the Prince no longer indulged in illusions respecting it. He summoned the king's council to the palace of Aranjuez, and, after laying before them the dangers which threatened the monarchy, he caused his advice to be adopted, and every preparation to be made for the departure of the royal family for Seville.'—*Memoirs of Rovigo*, vol. iii. pp. 246, 247.

We feel perfectly satisfied, both from our personal observation of the events themselves, and the mature reflection we have since bestowed on what we saw and heard at the time of the great change in Spain, that the Prince of the Peace allowed the treaty of Fontainebleau to be signed by Izquierdo, when he was already determined on the removal of the royal family to Seville. As to that removal we have already expressed our opinion: a similar step had been in contemplation in the reign of Carlos III., in consequence of the insurrection which endangered the life of his minister Squilace; it was the best plan that could be adopted preparatory to putting the country under the protection of Great Britain; it was the only way of preventing the murders, the robberies, the peculations, which disgraced the otherwise noble resistance of the Spaniards to Napoleon.

We shall close this long article with some observations on the individual character of Godoy. On the kindness and benevolence of his natural disposition his bitterest enemies have not been able to cast a doubt. The judge who, with two other counsellors of

* Introduction to Godoy's Memoirs, pp. liii. liv.

Castile, was appointed in 1808 to examine all the papers and documents of the Prince of the Peace, found a long list of persons, in straitened circumstances, who received yearly allowances from his private purse. In relieving distress he regularly expended upwards of 200,000 francs a year. Colonel D'Esménard refers himself to one of the persons who examined the papers, still living in Paris, for the accuracy of this fact. Godoy's influence with the king was never employed for persecution; yet he very frequently obtained mercy for various victims of the priests and courtiers. We have already named Jovellanos. We cannot omit the name of Olavide, an enlightened and public-spirited man, whom the Inquisition made a warning against similar church-disturbing qualities. He was imprisoned two years; he was, it is said, put to the torture; then exposed, in the degrading dress of a penitent, to a meeting of the principal inhabitants of Madrid, called together for that purpose; and lastly consigned to a convent, from which, however, he made his escape to France. This atrocious persecution took place when Florida Blanca and De Aranda (themselves suspected of heterodox or *philosophical* opinions) had the government in their hands. Godoy, who knew the difficulty and danger of speaking to the king in favour of Olavide, overlooked every objection, and finally obtained his recall. Olavide died at an advanced age in Spain, and the gratification of being allowed to pass his last years in that country seemed to have effaced the recollection of the outrages he had endured.

The reader will, perhaps, feel a livelier interest in the instance of Godoy's humanity which we are about to mention. We are particularly fortunate in being able to insert the account of his behaviour to two Englishmen, in the words of the individual to whose interposition the persons concerned owed a most unexpected as well as unqualified relief from a state of mental distress and personal suffering. We have been kindly allowed to insert the following letter to the writer of this article from an English nobleman, whose name, to those who have the happiness of knowing him, has long been synonymous with those of benevolence and humanity. The account of the transaction is prefaced by what we also can certify to be an accurate description of Godoy's manner.

‘ *London, 4th March 1836.*

‘ MY DEAR SIR,—I rejoice to hear you have thoughts of reviewing the “Life of the Prince of the Peace.” Your information and recollections must render your criticism of such a work interesting and instructive. You and I have so often conversed on the political character and career of that celebrated favourite, and on the effects of his power on the fortunes of Spain, and, indeed, on the

late of Europe itself, that I think it possible that the unfavourable view I took of them, and which on dispassionate reflection I cannot honestly retract, may give a deeper tinge of severity to your comments than they would otherwise have assumed. It is fair therefore to remind you of some more favourable impressions which my slight intercourse and unimportant transactions with him left of his personal character on my mind. His manner, though somewhat indolent, or, as the French term it, *nonchalant*, was graceful and engaging. In spite of his education, which I presume was provincial, and not of the best, his language appeared to me elegant and peculiar, and equally exempt from vulgarity and affectation. Indeed his whole demeanour announced, more than that of any untravelled Spaniard I ever met with, a mixture of dignity and politeness, of propriety and ease, which the early habits of good company are supposed (how truly I do not pretend to decide) exclusively to confer. He seemed born for a high station—without effort he would have passed in any mixed society for the first man in it. I never indeed conversed with him sufficiently to form any judgment of his understanding. Our interviews were mere interchanges of civility. But a transaction, of no importance to the public, though of great interest to the parties concerned, took place between us, and he not only behaved with great courtesy to me, but showed both humanity and magnanimity.

‘A young Englishman, of the name of Powell, had, before the war between England and Spain in 1804, engaged either with General Miranda, or some other South-American adventurer, in an expedition to liberate the Spanish colonies. He was taken. By law his life was forfeited; but he was condemned, by a sentence nearly equivalent to capital punishment, to perpetual imprisonment in the unwholesome fortress of Omoa. His father, chief justice of Canada, on hearing the sad tidings, hastened to England. Unfortunately hostilities had recently commenced under circumstances singularly calculated to exasperate the government and people of Spain. The chief justice was, however, determined to try the efficacy of a personal application to alleviate the sufferings of his son by a change of prison; for he despaired of obtaining his release. Having procured passports, he proceeded to Spain, furnished with a letter of introduction to the Prince of the Peace from me, to whom he applied as recently returned (in the spring of 1805) from thence, and not involved in the angry feelings and discussions which had preceded and followed the rupture between the two countries.

‘The prince received him in the palace at Aranjuez, and immediately, on reading the letter, and hearing the story, bade the anxious father remain till he had seen the king; and then left the

room for that purpose without ceremony or delay. He soon returned with an order duly signed, not for the change of prison, but for the immediate liberation of the young man. Nor was he satisfied with that act of humanity, but he added, with a smile of benevolence, that a parent who had come so far to render a service to his child would like to be the bearer of good intelligence himself; and he accordingly furnished him with a passport, and permission to sail in a Spanish frigate, then preparing to leave Cadiz for the West Indies.

‘When I saw the Prince of the Peace, ten years afterwards (1814), at Verona, he lamented to me that his situation would become very precarious if Charles IV. were to die. He was desirous of ascertaining if he could, in that case, find an asylum in England. I heard of the event from which he apprehended such consequences, in 1821, and I, that very day, crossed the House of Lords, and related all the above particulars to Lord Liverpool, ending with a request for a passport for the Prince of the Peace. Lord Liverpool, as might be expected from a man of so kind a nature, was much struck, and even affected, by the story; but he remarked, with regret, that an English passport to a foreigner implied an invitation. The government, he said, was not prepared to *invite* the Prince of the Peace to England, but he authorized, and even urged me, to assure him that he would be unmolested if he arrived here, and that he should enjoy every protection for his person and property that a foreigner was entitled to.

‘The answer of the Prince of the Peace to my communication of this assurance was concise, and to the following purpose: “He had for several years disposed of the resources of one of the richest kingdoms of the earth. During that period he had made the fortune of thousands and thousands; but I, a foreigner, and almost a stranger, was the first and only mortal who, since his fall, had ever expressed any sense or shown any recollection of any service, great or small, received at his hands: I might judge from this of the sensation which my letter had produced.”

‘I would have sent you the original letter, but, though I am confident that it is not lost, it is, to my great mortification, mislaid.—The above report of it, is in substance and brevity, correct. The Prince of the Peace never came to England.

‘VII. H^d’

We will not say much more; but it is fair to observe that, though the person who has so long occupied our attention cannot be considered in the light of a great statesman, it is not just, on the other hand, to describe him as a man who totally neglected his great and important charge that he might give himself up to pleasure.

The author of 'Doblado's Letters from Spain' has recorded in that work the character of Godoy, as given by a person of great acuteness, honour, and veracity, who assured him that in the year 1793 'There was every reason to believe, him active, intelligent, and attentive in the discharge of his duty; that he was perfectly exempt from all those airs and affectation which men who rise by fortune more than merit are apt to be justly accused of.'*

The work of which the Prince of the Peace has given the first two volumes to the public proves, at least, that during his power he gave very close attention to the events of the period. We should not forget that he has been obliged to write his defence in the absence of all his papers and documents. Among those papers he tells us there is a regular journal of 'all the acts in which he had taken part.' A total neglect of business is perfectly inconsistent with such a record. In regard to the alleged looseness of his morals, we cannot claim a right to sit in judgment; but we must declare, as the result of close observation, that no man was ever more tempted. At his public levees were seen the most beautiful women from every part of Spain, brought there by their fathers and husbands for the chance of engaging Godoy's attention. Spaniards who clamour on this point should remember, with shame, the state of morals among them, which this circumstance indicates.

Of the merits of the work, as a composition, we cannot say a great deal. The author has trusted too much to a consciousness of mere talent, and forgotten the great difficulty of writing a good book. The contents of the two volumes before us might have been reduced to one, with good effect; the author dwells too much on generalities, and indulges (according to the taste of his country) in declamation; he can hardly state any thing simply. These defects are indeed very much magnified by the translation; not from any fault of the translator, but because English style is abhorrent from such pomp and ornament. The author would do well to write the rest of the work himself, and then commit it, with the attesting documents, to a more experienced hand for arrangement and correction.

We conclude with a wish that the present Spanish Government

* Our readers will excuse us for mentioning that the author of 'Doblado's Letters' longs for an opportunity to correct the report to which he gave currency, that the imprisonment and cruel treatment of the venerable and patriotic Jovellanos originated in the revengeful feelings of the Prince of the Peace. An attentive consideration of the contents of the Prince's Memoirs, as well as the silence of his enemies in regard to any abuse of power for revenge and oppression, has convinced that writer that he was misled by false information. He conceives that all the acts of that kind which disgrace the last years of the reign of Carlos IV. originated in the queen, assisted by Caballero. We hope that the Prince of the Peace will fully clear himself of all such suspicions in the announced Second Part of his Memoirs.

will take the first opportunity of wiping away the stain of arbitrariness and violence which the conduct of Ferdinand VII. and his ministry towards the Prince of the Peace has left upon the country which applauded it. He has called for a trial; woe to the nation which can be deaf to such a demand, and can rest satisfied with having inflicted punishment in the hour of passion and resentment!

W.

ART. III.

THE POETS OF OUR AGE, CONSIDERED AS TO THEIR PHILOSOPHIC TENDENCIES.

MUCH of that which passes, in the present day, under the name of criticism, is but, in fact, another species of poetry. It depends for its interest on the reproduction of those feelings which had been excited by the author under review; and the critic is but a second minstrel, who revives and modifies the impressions of the first. He poetizes on the poet. Schlegel's 'Lectures on the Drama' recur to us as an admirable specimen of this kind of writing. In his pages the inventions of the dramatist are reflected with a vividness which it is not, perhaps, disagreeable to our vanity to mistake for the unaided exercise of our own recollection; while there is superadded to the marvellous effect of the ideal personages thus brought before us an ever-growing astonishment at the power of that genius which could first call them into being. To those who need to have their imagination quickened—to those who are sufficiently confiding to see all that another sees—to those, finally, who have no objection to be occupied with a species of discourse where opinions "come like shadows and so depart," nothing can be more entertaining or acceptable than this mode of criticism; which, however, it must be confessed, is better fitted to kindle and revive our past pleasure, than to give us principles by which to direct our admiration for the future.

There is another species of criticism, in so little danger of being confounded with poetry and eloquence, that we are apt to wonder how it has sprung from an acquaintance with those arts. Men shrewd and inquisitive, great lovers of little matters, have sometimes busied themselves with the creations of the poet. With rule in hand, and arithmetic on their fingers, they have measured and estimated the structures of imagination. These are they who discourse with ardour on the double plot of a comedy; who mark out, as a separable object, the *machinery* of an epic; and who, as their especial prerogative, exercise a dull and spiritless control over all similes and metaphors. From the very art of pleasure

and of mental luxury. they extract materials for the most painful lassitude; and, as if to illustrate the inseparable union of good and evil in this world, they fasten down their wooden commentaries in pieces of all shapes and sizes at the foot of the pages of genius. We are told that this race of critics is nearly extinct. We pray heaven that this be true. They were two of Pharaoh's plagues at once—flies and darkness.

It is not the part of the critic, on the one hand, to imitate the raptures of the poet, as it certainly is not his office, on the other hand, to weaken or disturb their influence. His duty is to explain. The critic will not elbow the poet, but he will follow him through all the mazes of his thought; will presume to judge of him in his loftiest ecstasies; will know always what it is he does, and by what means he produces his effect; will have estimated the force and frequency of those passions and sympathies to which he makes his appeal, and will thus be able to pronounce on the nature and success of his endeavour. He will also discriminate those philosophical ideas (if such there be) which have guided the imagination of the poet, or towards the establishment of which his writings have assisted.

As men advance in intellectual culture, more and more of their well-being must depend upon the tenor of their philosophical speculations. There is an adversity and a prosperity not witnessed by the world, and whose theatre is the silent chamber of the student. Wherever human feeling exists, there Poetry will follow. She has, therefore, in these later times, advanced from the field of great actions and high enterprise, and has entered with all her glowing imagery into the haunts of meditation. She has pitched her tent in the solitudes of philosophy. As the warrior has heretofore been fired by the recorded achievements of his predecessors in his tremendous path of ambition; as the lover has hung over the joys and affections of other lovers like himself; so now may the student attend with his own peculiar pleasure to the doubts and tribulations, the toil, the mystery, the elation and the gloom of other men who have also wandered in the pathless regions of meditation, fashioning their cloud-temples as they went. If Poetry has extended her empire, the critic must, in the same proportion, enlarge his knowledge and his capacity of feeling; and, since she now finds the materials of her power in those deep emotions which attend on the inquiry after truth, it is here also that he must follow her.

A peculiar licence seems to be given, by general consent, to the speculations of the poet. Bards were the first teachers of theology. A bold and fervid imagination invented, in one age, what became in the next the settled tradition of the multitude. Dispossessed of the office of teacher, the poet is now more prone to

question, than to increase, our articles of faith. But this questioning results from the same spirit of boundless curiosity and free imagination; and the same character of mind, which at one period would have given a creed to a nation, is distinguished at another as the assailant of its faith. Men feel that religion is generally safe in the hands of the poet; for religion is the enduring poetry of the human race. It is the ideal of a life; the reconstruction of a world that our disappointments have shattered; a region of untouched hopes, and desires placed beyond the reach of frustration. It is lamentable that this retreat for wounded spirits, this possession for aspiring minds, should so often be distracted by the disputation of fanatics; should become, sometimes, a profitable speculation in the hands of avarice—sometimes a conquered province beneath the sway of bigotry. How often have men wished that the poets had their own again, and could keep it as their own!

Dr. Johnson has given the title of 'metaphysical poets' to Cowley, Donne, and others of the like character. He should have rather called them erudite, or pedantic. At all events, the title may be far more justly applied to a class of poets of our own time; and of these especially to Wordsworth, Shelley, and Coleridge. It is the purpose of the present article to make a few observations on the philosophy of each of these writers.

Wordsworth merits to be called a religious poet. The feelings he wishes to excite are of this description. No theme is more frequent in his pages than the responsibility and allegiance of man to a superior power. On no occasion does his indignation rise so high as when it is necessary to rebuke those philosophers who persist in limiting their minds to the material objects around them. But, though the sentiments he dwells upon are so fervid, confident, and encouraging, there lies a lurking scepticism at the basis of all. The leading idea of the 'Excursion' is simply this, that a religious faith springs from the imagination, excited by the beauty of inanimate creation; that the love of nature is our best divinity. This, with some indefinite intimation of a law of duty, is the amount of the creed it teaches. The poem exhibits no absolute first truth from which to argue *down* to human feelings; but theologic faith is made to spring up from those sentiments which are more usually regarded as the result of *it*. With this writer, it is the imagination and the heart of man which originate those 'powers and thrones and principalities' that bear rule over this lower world. His heaven owes its form and existence to the eye of the beholder. It is not in the absolute infinitude beyond us, but in the blue concave, bent down and rounded by human optics, that he finds his celestial country.

The 'Excursion' opens with a pathetic narrative of the gradual decline and ultimate dispersion of a family which inhabited a lonely cottage on a heath. After this narrative (which serves to introduce us to the character of the chief speaker in the discourses which follow) the pedlar, and a poet his companion, proceed to visit an unhappy sceptic, living in complete seclusion amongst the hills. This solitary has been disappointed in all his political hopes, been bereaved of all his domestic happiness, and deserted of all his religious faith. Here there is much for the teacher of wisdom to perform. This individual is to be restored to activity, to hope, to belief. Yet, what is the amount of doctrine which the pedlar, the personification of wisdom, unfolds upon this occasion? Excellent sentiments are here and there divulged; the origin of Greek and Chaldean superstitions is poetically described; and the best affections of our nature are captivately set forth. Thus a bland and beneficial influence is exerted. But, should the reader inquire too pertinaciously into the truth which, after much ostentation of philosophy, is taught this unhappy sceptic, he will find that little has been offered for the *reason* to lay hold of. The sage advises his patient to chase the wild deer upon the mountains, and better advice for health and cheerfulness of spirits it were impossible to give. But we suspect that his doubts could not have been much enlightened by being told to

'Rise with the lark! your matins shall obtain
Grace, be their composition what it may,
If but with hers performed;'

and by other instructions of the like description. Unfortunately the love of nature does not always beget the love of man, nor invariably conduct to any orthodox theology.

The three speakers afterwards adjourn to a church-yard, where they encounter the rector of the secluded parish. On him they call for a solution of their difficulties. 'Is man a child of hope?' asks the principal orator. But even the priest avoids a decisive answer.

'Our nature (said the priest in mild reply)
Angels may weigh and fathom: they perceive,
With undistempered and unclouded spirit,
The object as it is; but for ourselves,
That speculative height we may not reach:
The good and evil are our own.
—————Spite of proudest boar:
Reason, best reason, is to imperfect man
An effort only, and a noble aim;
A crown, an attribute of sovereign power,
Still to be courted—never to be won!'

The priest then enters on a description of the varieties of character which his little flock has displayed—a description which seems to have no other end than to show the inevitable diversities, both of temper and opinion, that belong to our multiform humanity.

Perhaps it would be difficult to name two writers who would better endure to be compared and contrasted than Wordsworth and Shelley. In the first we find much simplicity of method, but an intricate and involved manner of thinking; in the last we have a simplicity in the speculative idea, but a complexity in the development. Both are men of great subtlety of thought; but in Wordsworth it is the subtlety of reflection—in Shelley, of imagination. Wordsworth delights to agglomerate round an ordinary object a multitude of thoughts and feelings gathered from the remotest source; Shelley creates the image that he paints. In the author of the 'Excursion' we have nothing spontaneous, nothing personal. With level wing and in wide circle he skirts the horizon of human passion, but nothing betrays that he has ever descended into the conflict. He seems to think on behalf of others, not himself; and his faith is a sort of proxy for mankind. The poetry of Shelley, on the contrary, bursts from him with a single and genuine impulse. He is the least wise of the two, but has the greater love of truth; possesses the least knowledge of man, but brings to the cause of humanity a fiercer zeal, and a stronger conviction.

Their prominent faults as writers correspond with these characteristics. Shelley, revolving on his own ideas, presents us with a splendour of diction, and a crowd of images that often convey no new topics of thought; reminding us of those pyrotechnic exhibitions where fresh fire is perpetually rushing from a hundred jets, but the same flaming and solitary word stands fixed and unchanged before us. Wordsworth, on the other hand, has frequently bestowed the labour of a consummate artist on materials tame, trifling, and insipid. The 'Revolt of Islam' is the interminable reproduction of the same ideas, from which the poet could not extricate himself; the 'Ecclesiastical Sonnets' give evidence of a bard in utter despair of a subject on which to expend his verse.

In harmony of versification Shelley is the least laboured, but the more varied and original; in the use of language he is the least select, but far more fresh, exuberant, and versatile. To Wordsworth must be allowed a more calm and extensive survey of human nature, and a more methodized knowledge of the principles which regulate society; but to Shelley it was given, in a more eminent degree, to unite the wildest and boldest fancy with feeling

the most acute. He is 'the most poetical of poets. Much of his writings we should wish, on many accounts, to blot; but that which would remain after such obliteration would be pre-eminently poetic—the very rapture of the muse. His strain produces a kind of exquisite delirium, which rises and swells, and, it must be added, which passes away, with the music of the song.

The early works of Shelley betrayed so angry and pugnacious a spirit, that not only men jealous of their creed were shocked and alarmed, but the more phlegmatic philosopher, who is prepared for the expression of all opinions, felt annoyance and disgust, and was slow to recognise genius apparently connected with so perverse and acrid a humour. A tolerant mind must be as much revolted at the tirade of Shelley against priests and monarchs, as at any commination that might in turn be fulminated against the author of them. But his after-works were distinguished by a clearer temper; and now that the bard is gone, and his best performances stand forth as the most conspicuous, we regard him in the light of some pagan poet—some heathen classic, who has little more connexion than Lucretius with the manners and doctrines of our own day.

Of all the longer poems of Shelley, 'Alastor, or the Spirit of Solitude,' is that which probably affords the most unmingled pleasure to the reader; but the 'Prometheus Unbound' is his most ambitious effort; and to this we must have recourse for an exposition of his philosophy.

When Hobbes pronounced it to be mutual fear which drove men into society, and retained them in it, he expressed only one of several truths which related to his subject. But it *was* a truth, and one of wide import. Mutual distrust has often laid mankind at the feet of a tyrant; and the same terror with which it was found necessary to invest an earthly ruler, was also transferred to the monarch of the skies. When men are improved in cultivation of mind and temper, the fear of each other can no longer drive the whole mass into slavery. Now, it is just possible to conceive of a state of human nature, in which mutual confidence and good-will should so entirely predominate, as to render unnecessary every kind of harsh constraint. To creatures so wise, benevolent, and free, neither earth nor heaven would contain any object of terror. The reign of fear, it may be said, would then be supplanted by that of love. This happy revolution forms the subject of the 'Prometheus Unbound.'

The poem opens with the Titan lying on his rock. Ione and Panthea (sisters to Asia, the wife of Prometheus) are sitting at his feet, and form a sort of chorus. By what appears to us a very bungling invention, the phantasm of Jupiter himself is called up to repeat the prophetic curse which Prometheus, when first chained to his rock, has bestowed on the tyrant of the skies.

After the phantasm of Jupiter has performed his singular office, Mercury descends, accompanied by the Furies, and, with the threat of further torments, attempts to subdue the mind of the uncomplying Titan. Prometheus is inflexible. The Furies torture him by exhibiting visions that are deemed likely to wound the peace of goodness. After his agony, a crowd of gentle and hopeful spirits ascend from the earth, to comfort and console,

‘Spirits that breathe, and sicken not,
The atmosphere of human thought.’

The second scene introduces us to the banished Asia. Panthea is with her. The time is now approaching for the triumph of Prometheus and the principle of love. Asia is full of vague and happy prognostications. She and Panthea are conducted by fauns and spirits and echoes, to the realm of Demogorgon, where a chariot is waiting to carry them to the heights where Prometheus is lying.

Jupiter is next seen upon his throne, triumphing in his omnipotence. Demogorgon, who is here called Eternity, ascends, and compels him from his seat of power, pronouncing that the tyranny of heaven is for ever at an end. The god struggles—threatens—but in vain :

‘The elements obey me not. I sink
Dizzily down, ever, for ever, down.
And, like a cloud, mine enemy above
Darkens my fall with victory!’

Hercules now releases Prometheus, who again receives his Asia ; and the rest of the piece is occupied with celebrating the happy change which now takes place over the whole world. The earth and the moon are here introduced as holding dialogue together—a hazardous invention, which is, however, fully justified by the bold lyrics which are given to these extraordinary speakers.

THE EARTH.

‘The joy, the triumph, the delight, the madness!
The boundless, overflowing, bursting, gladness,
The vaporous exultation not to be confined!
Ha! ha! the animation of delight
Which wraps me, like an atmosphere of light,
And bears me as a cloud is borne by its own wind.

THE MOON.

‘Brother mine, calm wanderer
Happy globe of land and air,
Some spirit is darted like a beam from thee,
Which penetrates my frozen frame,
And passes with the warmth of flame,
With love and odour and deep melody
Through me, through me!’

THE EARTH.

‘Ha! ha! the caverns of my hollow mountains,
 My cloven fire-crags, sound-exulting fountains,
 Laugh with a vast and inextinguishable laughter.
 The oceans, and the deserts, and the abysses,
 And the deep air’s unmeasured wildernesses,
 Answer from all their clouds and billows, echoing after.’

And in this strain they proceed to interchange their joy and congratulation. What is the exact transformation which society may possibly or probably undergo, or by what means it is to be brought about, are questions which it is perhaps hardly fair to ask of poets. We must be content to learn that the present hideous forms of moral distortion will one day be loosened from mankind, and scattered to the winds, and that they will appear clothed in ideal purity. It must be confessed, however, that Shelley has taken but a limited view of the nature of man. Benevolence may be the first ingredient in human happiness, but it cannot be the only one, nor can it continue to exist unless complicated with other impulses and desires.

When the name of Coleridge is mentioned in connexion with philosophy, we are led immediately to refer rather to his prose works than to his poems. To enter, however, into an argumentative examination of these, would conduct us into an endless labyrinth. We must endure, therefore, to pass for mere dogmatists, when we assert that he who hopes to find in them any distinct system, or just concatenation of thought, will be grievously disappointed, but he who reads for the brilliant fragments he may collect will be amply rewarded. To adopt a mode of illustration of his own, if a line be drawn with *admirable sense* written at one end, and *hopeless obscurity* at the other, Mr. Coleridge would be the *punctum indifferens* between the two, ‘which may be conceived as both, in as far as it may be either.’

Men who combine a tenacious habit of reasoning with great susceptibility of feeling, are often doomed on the subjects of theology to suffer a painful alternation of doubt and belief. Truths which have flashed upon the mind vivid as lightning, have proved as difficult as it to be arrested or retained. In this interchange of light and darkness, Coleridge seems to have had large experience. Finding no steadfast footing in philosophy, he betook him to the sacred oracles. But he carried with him his old intellectual habits, and sought an independent ground in human reason for truths which his wiser countrymen receive with silent acquiescence, as beyond the present scope of our faculties. Metaphysics were revisited to find a demonstration for the Trinity, and Kant was made subservient to St. Athanasius. It is evident that philo-

sophy pursued after this fashion could lead to ~~no~~ satisfactory result.

Coleridge has claimed the merit of having thrown many a truth into general circulation through the medium of conversation. He may, perhaps, be taxed also with having, through the same medium,—by the charm of eloquence, and the fascination of his name, and the attraction of mystery,—exercised an unfortunate influence over minds, themselves of an influential order. He had power to darken knowledge, and his admirers are worshipping the eclipse.

The constitution of his mind was essentially poetic; his reasoning powers, strong as they were, lay too much under the influence of his feelings to be adapted to the calm as well as severe toils of philosophy. To his poetry, therefore, we turn. Here, however, we find no peculiar idea of a philosophical character; but a habit of intense thought is perceptible throughout. What is most predominant is a continual aspiration after a future life, without a corresponding confidence in immortality. He is never reconciled to earth, and never confident of Heaven. He wishes to exert a happy influence over his readers; but his muse is then strongest when his own hopes are at the lowest. He sings at the portal of the temple, sitting between its two guardians, Doubt and Faith.

There is no master-work of this poet that could be pointed out as especially exhibiting his mode of thought. All his writings are fragmentary. He wanted that inferior talent which constructs a plot, and fills up the vacancies from theme to theme. Besides which, he wrote ever from himself, from the fulness of his heart. His poetry waited on the changes of his mood, on the agitations of a many-thoughted spirit. In point of style, he is superior, we think, to either Shelley or Wordsworth. He never exhibits the giddy luxuriance of the first, nor that slow and toilsome progression which too often distinguishes the author of the 'Excursion.'

It remains for us to say something on the influence and tendency of these our metaphysical poets. In immediate impression on the minds of their countrymen, it need hardly be mentioned that they have all been surpassed by their contemporary, Byron, whom, though dealing often in matters of philosophy, we have not ventured to rank amongst philosophical poets. His opinions were the direct offspring of his wayward passion. He doubted and denied because the crowd believed; when he found that there was another crowd that disbelieved, he became inclined to repudiate his infidelity. His influence was sudden, violent, and brief. It seems already to have subsided, and to have taken

its place in the history of the past. The influence of the more thinking poets, Wordsworth, Shelley, and Coleridge, was more slow in its origin, and more limited in its circle, but continues, and will long continue, to operate.

How far the revolutions which take place, whether in politics, religion, or taste, are affected by those individual minds which ostensibly conduct them, and how far by the irresistible current of events, has often been a subject of dispute. It was formerly the prevailing fashion to regard them as the work of the great hero, literary or political, of his day; and men were never tired of wondering what would have been the fate of letters or of Europe, if such and such persons had never lived, or, having lived, had encountered a different fortune. Irritated, at length, by these endless and futile speculations, some have lately shown a disposition to put out of the account altogether the influence of the hero of his age, and to attribute every great change in human life to a current of thought or feeling amongst the multitude—a current owing its existence and direction to circumstances that bear upon society at large. But, as is usual, both extremes are in error. If the wants and passions of the age raise up their champion, that champion has his own peculiar constitution of mind, which, being elevated into a place of command, gives its character to the change that is operated. Thus, every revolution in philosophy and politics takes half its character from the multitude, and half from the ruling mind that conducts it. Had Leo the Tenth, says one party, conciliated Luther, as at one time he might have done, there would have been no Reformation. Had Luther never been born, says another party, the Reformation would nevertheless have taken place. Certainly, the human race would not have stood still for want of a Luther; but let us suppose that this reformer had been other than he was—that he had possessed, for instance, the same natural powers of intellect, and the same moral qualities, but had wanted the acquirements of learning, so as to be unable to ally his cause with that of letters—he would in that case have headed a sect of dissentients from the Church of Rome, but he would never have engaged either princes or scholars in its defence. He would have been the teacher of a heresy, but not the founder of the Protestant Church; and the religious contests of Germany would have taken place between the people and their rulers, not between separate states and principalities.

It is not, however, of such men as Luther that we have here to speak, but of champions of very inferior achievements; champions of opposite modes of philosophic thought in an idly speculative age. Both Wordsworth and Coleridge, but especially the former, cling tenaciously to the antique world, to the chance treasures.

and venerated relics of the past : they would govern the future by the feelings and principles which history has bequeathed them. Shelley, disuniting himself from the present and the past, called for a reconstruction of society upon fresh principles, drawn from a direct examination of human nature. Both parties disguise their subject in the flattering colours of imagination ; both, therefore, are liable to the charge of error ; and we can attempt to compare only the general tendency of the two modes of thinking.

He who holds that society is destined to arrive at a far more perfect organization than any it has yet exhibited, and believes that mankind possess within themselves the means by which it is to be produced, will applaud the poet of bold anticipation. He who thinks that the future will only reproduce the past, somewhat changed and modified ; who has no confidence in principles based in human reason itself, and fears to lose every lucky influence, however slight and accidental, doubting always where to find a substitute—will give his approbation to the poet who endeavours to cement and preserve for future generations all the traditionary sentiments of the past. Wordsworth will find his admirers amongst those who wish to retain old feelings, yet share the freedom of philosophical inquiry. Shelley will collect his partisans amongst those who seek for a new faith in the new destinies of mankind. If the world is standing still, Wordsworth is the best of poets ; if it is fated to advance to some happiness yet unexperienced, the poetry of Shelley, with all its faults, has the noblest tendency.

Had Shelley so worked out his ideas as to give them a logical distinctness, he would have been one of the most influential minds of his age. As it is, he can only affect the dispositions of a few speculative and imaginative readers. His reveries are felt to be so foreign to the real business of life, that the most anxious of political alarmists could anticipate from them no evil consequences. We can as little expect that any political influence should emanate from the ‘Prometheus Unbound,’ as that the honesty of the times should be corrupted by Wordsworth’s panegyric upon Rob Roy.

Finally, let none, in comparing these two poets, while he notes the palpable deficiencies in the creed and philosophy of Shelley, fail to observe also the peculiar force with which he has seized upon some of the most refined feelings and noblest sentiments of human nature. If he refused to acknowledge any obligation superior to that which society imposes, he at least presented to the mind such an image of society as encourages the boldest aspirations, and implies, as the requisite of its existence, a high standard of moral purity. If he was destitute of a religious belief, let it be confessed that those moral ideas which constitute

our notion of the godlike were not absent from his mind; he saw beauty in *nature*, and benevolence in *man*, and he worshipped them *there*. If he omitted to teach the hope of immortality, a sentiment so fruitful in good consequences, he displayed a glowing faith in the ultimate happiness of the whole family of mankind—a faith which, in the opinion of those who share it with him, will be allowed to cover a multitude of faults.

D.

 ART. IV.

MUNICIPAL REFORM, AS REQUIRED FOR THE METROPOLIS.

GOVERNMENT has signified its intention of introducing a Bill for the reform of the corporation of the city of London. The simple fact of such an announcement proves that in this country the principles of municipal government are but little understood. Were it otherwise, we should have had, long ago, some uniform system of local government applicable to every town and district of the United Kingdom, and should not now be promised merely an amendment of the local institutions existing in one corner of London, without any reference to the general question of what is best, or what is really required, for the metropolis at large.

Our legislators have made one discovery which, we trust, has impressed us with a becoming admiration of their wisdom. They have discovered that in some parts of the country the people ought to have a control over their own affairs. This was a happy thought. By and by,—but let us be patient,—the bright idea will occur to their minds that in every part of the country the people ought to have the same power. Thus, in good time, we may hope to see a free-born Englishman enjoying as much liberty in municipal matters as a native of Prussia: for it is a curious fact, that, with the advantage of a more popular form of government than is possessed by most of the nations on the Continent, we are struggling at the present moment to obtain the same rights which the despotic, or almost despotic, rulers of most of the German states have already conceded to their subjects. It is doubtful whether there is a country in Europe in which the machinery for the regulation of local business was so complicated, or in which the people enjoyed so little direct control over their own local affairs,* as the United Kingdom of Great Britain and Ireland, up to the time of passing the Municipal Reform Bill of last session.

And what has that Bill done? It has established a principle of popular representation in 178 towns, leaving every other town in England, and the whole system of county management, pre-

* Even Turkey is not an exception.

cisely in the same state as before. Powers have indeed been given to the Crown to grant charters of incorporation to other towns and boroughs, on the petition of the inhabitants; but those powers are wholly nugatory, for every town and borough is under some local Act, which must be specifically repealed before a new town council can supersede the existing boards.

The excellence of the Bill was its destructive character. It has razed to the ground a certain number of the strongholds of corruption; but no attempt has been made, nor appears even to have been thought of, to form a comprehensive plan of local government for the whole country.

We had hoped that the precedent of the Poor Law Amendment Bill (the most statesmanlike measure we have had for many years) would have put an end to the folly of patchwork reforms. How unsatisfactory would have been that attempt to dispauperize the labourer, if the operation of the Act had been limited to some of the worst regulated parishes! It is admitted that popular municipal institutions are required for the people, why then not give them to the whole people?

There are two reasons why there should be a uniform system of local management throughout the country. The first is, that all systems cannot be equally good, and it is everywhere desirable to have the best. Now the principle of self-appointed and irresponsible commissioners is either better or worse than that of local representation and responsibility. If better, why establish any town councils? if worse, why permit the old boards anywhere to exist? The second reason is, that the task of legislation is greatly simplified, and a vast amount of useless expenditure saved, by creating at once the machinery necessary for all local business that may arise, instead of having continually to make new arrangements, pass new laws, and appoint a new set of officials, before an object can be effected in the district to which it relates. The best illustration of this fact is the proposed measure of registration for births, marriages, and deaths. If the machinery of the new Poor Law Bill had not been brought into existence, it could not have been applied to the purposes of registration, and an efficient body of registrars could not have been formed, unless at a cost of double or treble that of the present plan.

The time, however, has not yet arrived for our rulers properly to appreciate the advantages of legislating upon broad and general principles. The attention of the House is again to be occupied with one of those questions of mere detail, which a wise government would have included in one comprehensive enactment.

The inconvenience of having distinct measures of reform for different municipal bodies will be more strikingly marked in the case which we are now about to consider, than in any other. A

Bill might be introduced for the incorporation of Birmingham, and a separate Bill for the incorporation of Manchester, without much impeding the practical working of either, since the inhabitants of the one town would be in nowise affected by the provisions of the Bill for the other; but the city of London and the metropolis are not different towns. London is one and indivisible. The inhabitants of the metropolis have a variety of interests in common; and those interests cannot be provided for by legislating for one district, as if it had no dependence upon, nor connection with, the surrounding neighbourhood. There is much of the business of local administration which cannot, without public detriment, be divided among different districts of the metropolis.

The navigation of the river, for example, cannot be placed under the control of municipal bodies in Limehouse, Southwark, Westminster, and the City, without giving rise to a worse system (if indeed that be possible) of mischievous and complicated harbour regulations than the present. This is a question properly belonging not to the City, which is not more closely connected with the river than the Tower Hamlets, or the Borough, but to the whole municipality of London.

Another example is the management of the sewers, which obviously require to be constructed upon some general principle regulating their dimensions and levels, and to be placed under the superintendence of one body of surveyors.

A third is the direction of the police force.

A fourth is the regulation of the carriage ways; in reference, for instance, to the obstructions created by carts, omnibuses, gentlemen's carriages, &c., and the misconduct of their drivers. These are matters upon which there ought not to be one law for Cheapside and another for Oxford-street; but which, it is also clear, should not be brought continually before the legislature, to the hinderance of business of national importance.

These are striking cases illustrative of the necessity of some plan of centralized organization. But for all municipal business, whether requiring the superintendence of a central board or not, it is the interest of the inhabitants of every district of the metropolis that the whole of London should be placed under the best possible system of local government. No part of the Strand can be badly paved or lighted, without being a nuisance to the passengers through it, whether they live at the east or the west end of the town. No street in Whitechapel, or St. Giles's, can be allowed to become a nursery of thieves, without endangering the property of persons who live perhaps in Sloane-street or Belgrave-square. No parish in Southwark, or St. Luke's, can be made, by ill cleansing, the seat of disease and pestilence, without affecting the health of persons living far beyond the immediate vicinity.

What then is the duty of Government? To amend, Act by Act, the 500 different Acts of Parliament that have been passed at various times for local purposes in the metropolis? or to grapple with the whole subject, whatever difficulties may beset it, and place it at once and for ever upon a right foundation? This question we have already answered. It is necessary, however, to give a more particular and definite explanation of the object to be accomplished.

To determine the exact measure of municipal reform required for the metropolis, it is necessary to inquire:—

First. What are the duties to be performed?

Secondly. How are they performed at the present moment?

Thirdly. What ought to be the constitution of the bodies upon whom those duties should devolve?

To begin the inquiry systematically, we should consider wherein a national, or state government, differs from a municipal institution. The government of a state exists for the purpose of forming and enforcing general laws or rules, by which one class of persons may be prevented from unduly interfering with the liberties and interests of another class; and also for the purpose of effecting a number of common objects, which are best promoted by a system of combined exertion, or co-operation upon a large scale. A national government does not exist for business of mere detail, nor for the purpose of doing that for the people, which the people can do equally well, and perhaps more effectually, for themselves.

Municipal institutions are required, first, as part of the machinery for giving effect to the will of the national government; and, secondly, as the means of making local regulations, which do not interfere with the rights or interests of the inhabitants of other districts, and which do not violate the principles of general legislation and government recognised by the state.

The objects, therefore, embraced by municipal institutions are of a much more extensive nature than is generally supposed.

They may, according to the general policy of the state, include all or any number of the following objects:—

1. **INTERNAL COMMUNICATION.**—Paving and lighting, the repairs of roads, and regulations for the traffic along the streets and highways.

2. **PUBLIC HEALTH.**—Including the drainage, sewers, and sanitary regulations.

3. **EDUCATION.**—Schools for children, colleges, scientific institutions.

4. **POLICE.**—Including the prevention* of crime, by watch and

* See an able treatise on this subject by Mr. Chadwick.

ward, as well as the apprehension of criminals : also, management of prisons, and precautions against accidents from fire, &c.

5. RELIEF OF THE POOR, and suppression of mendicity.

6. PUBLIC BUILDINGS.—Churches, town-halls, and other places of assemblage.

7. PUBLIC AMUSEMENTS.—Theatres, public gardens, and gymnasiums.

8. ADMINISTRATION OF JUSTICE.

The powers exercised by many of the old corporations extended to all or most of these objects ; other corporations had more limited powers, and appeared to exist solely in order to appropriate to their own use the money that fell into their hands. One serious defect of the Municipal Reform Bill was, that it did not define the nature and extent of the jurisdiction given to these bodies, so that what may be done by one corporation is by no means a rule for the conduct of another. Our present purpose, however, is simply to inquire what kind of functionaries are supposed to discharge the duties included under the above heads in the metropolis.

The local interests of the inhabitants of London are placed in the hands of an extraordinary number of variously appointed bodies, designated as follows :—

The Corporation of the City of London, and the trading companies.

Boards of Commissioners of Sewers.*

Boards of Commissioners for paving, lighting, and cleansing.

Vestries ; including select vestries, open vestries, (so called,) and vestries appointed under various local and general Acts.

Boards of Guardians under the New Poor Law Amendment Act.

Grand juries, inquest juries, leet and annoyance juries.

Bench of Middlesex Magistrates.

Church Commissioners.

Commissioners of bridges and highways.

The Trinity Board.

Turnpike trusts.

The Commissioners of Woods and Forests.

Governors of public schools and hospitals.

Commissioners of Police.

Commissioners of Courts of Requests.

Salaried police magistrates, &c. &c.*

We shall not attempt the impossible task of giving, within the limits of these pages, a complete analysis of such a mass of intricacy and complication. This summary is sufficient to prove that the machinery of local government for the metropolis at large is about the worst that could be devised. We shall point out, how-

* We have omitted to mention the Lord Chamberlain, the dramatic censor.

ever, a few of the most striking defects of our existing municipal arrangements, and the abuses to which they have given rise.

The first thing to notice, beginning with the corporation of the City of London, is, that this institution is essentially inimical to the interests of other parts of the metropolis. London may be considered as divided against itself. The corporation insists not merely upon rights and privileges, but upon rights and privileges destructive of those of the public. The City exercises the power of taxing the inhabitants of the metropolis, not even nominally for their own benefit, but for the benefit of certain persons living east of Temple-bar; and it claims certain exclusive privileges of trading amounting to an oppressive monopoly. We are alluding now to the dues levied in the river upon shipping, and upon coals, corn, wine, oils, potatoes, fruit, &c.; the tolls collected at the city bars upon non-freemen's carts;* the exclusive right of holding markets within a circuit of seven miles; and a long list of exclusive privileges conferred upon porters, carmen, watermen, brokers, and other persons belonging to the City, utterly subversive of that fair and open competition by which the interests of the public are best promoted.

This feature of the city corporation is strongly marked. There is no subject upon which the Court of Common Council are so sensitive as any infringement of their ancient charters. A common councilman, whether Whig, Radical, or Tory, (the exceptions are remarkably few,) has not the least notion that he exists to forward any common object in which the inhabitants of the whole metropolis are interested, but will honestly confess that he considers it his duty to maintain the exclusive rights and privileges of the City of London, regardless of any other consideration. Thus it happens that if the question be asked, 'Why is Newgate-street twice a-week permitted to be blocked up by butchers' carts, so that the mails cannot reach the Post-office except by a circuitous route?' the answer is, 'If the carts were removed, some members of the Butchers' Company would be greatly inconvenienced.' If the question be put, 'Why do you sacrifice a large rental, and cause the air to be infected, by a market for raw and half-putrid hides under the

*The toll paid upon every non-freeman's cart entering the city at Holborn-bridge, and the other city bars, is 2*d.* each time. For liberty to ply for hire in the City it is necessary to obtain a licence from Christ's Hospital, and to belong to the Carmen's Company. Within the last few days (Feb. 1836) the following iniquitous charges have been wrung from John Sumption, a poor carman:—

	£.	s.	d.
Licence from Christ's Hospital	6	6	0
Ditto annual fee	0	17	4
Freedom of the city £5. which, with fees to the officers of the court, amount to	14	11	0
Freedom of the Carmen's Company	31	9	8

£53 4 0

windows of the East India House, when there is already an excellent spacious market for both hides and leather in Bermondsey? we are told, 'That it is important this branch of trade should not be entirely driven from the city.' If we again inquire, 'Why permit a market for live cattle to be held in the middle of one of the principal thoroughfares?' we are answered with a burst of astonishment from Mr. Charles Pearson, 'What! when the returns of this market are five millions per annum, would you deprive the citizens of London of the chance that some portion of this money should find its way into their pockets?'

Perhaps one of the first acts of a municipal council representing the interests of the whole metropolis, would be a regulation to prevent horned cattle from being driven through the streets during certain hours of the day, to the terror of women and infirm persons, the injury of property, and sometimes the sacrifice of life. So far, however, are the members of the Court of Common Council from perceiving the necessity of such a regulation, that they have but lately expended £30,000 in maintaining the existing nuisance: £20,000 were voted in one sum, a few months back, for enlarging the market, although the House of Commons has repeatedly recommended its removal. But we do not know anything more disgraceful to the liberal character professed by this corporation, than the fact that at the very moment when the Municipal Reform Bill was about to destroy all exclusive rights of trading, belonging to the country corporations, £10,000 were spent, under the direction of the Court of Common Council, in opposing before parliamentary committees Mr. Perkins's project for a rival cattle-market at Islington.

In further illustration of the same narrow views we may remark, that a few years ago the Common Council entertained serious thoughts of putting down Bartholomew Fair, but the publicans of Smithfield proved before a committee of the court that they were dependent, to the amount of half their rents, upon the profit of the liquor sold during the fair; and this consideration which, in fact, showed in the strongest light the necessity of either abolishing the fair, or removing it to some open spot where there would be no temptations to drinking, was sufficient to induce the court to desist from all further interference.

These, and similar acts of the London corporation, indicate one of the inconveniences that would result from the plan, contemplated last year, of forming all the metropolitan boroughs into distinct and independent corporations. Instead of working together, each would be governed by its own sectional spirit, and the notion of separate interests would give rise to the same jealousies, and schemes for counteracting each other's designs, as we find always existing among neighbouring states.

The next point we shall notice is, the general incompetency of the members of the Court of Common Council for the public business committed to their charge.

As one proof among a multitude of others of this unfitness, we shall instance their management as conservators of the river. The regulations for the port of London are chiefly framed by a committee of the Court of Common Council, composed of upwards of a hundred members. Notwithstanding the committee is so numerous, there are very seldom half a dozen persons upon it who have the slightest knowledge of shipping, or connection with any one who is interested in it. This, however, we do not much complain of, as the duties to be performed are of a very simple description, and might be discharged by men of common understandings, taken from any class.

The river is the nation's highway, and the objects relating to it are, that, as in the case of a street or a public road, all obstructions should be removed, so that the passage of vessels up and down might not be impeded; that sufficient facilities should be given for the loading and unloading of vessels, and that they should not be so navigated as to risk the loss of life, or destruction of property. How are these objects promoted by the corporation of London? The first thing they do is to take the most numerous class of ships, called the colliers, and cause them to moor abreast right across the river at a place called the Pools. The effect of this arrangement is two-fold: vessels arriving at the Pools have to find their way through as they can, and have often to wait two or three hours before they can effect a passage; and the river between the Pools and London Bridge is constantly filled with barges floating broadwise down the middle of the stream, to and from the colliers, forming a most serious impediment to the navigation. One would have imagined that if any part of the river should be blocked up, it should be the part close to London Bridge, as by such a plan a clear passage would be left for vessels between the Customhouse and Wapping; but the sages of the Common Council think it better that the obstruction should be placed lower down, in order apparently, that, with the assistance of the bargemen, the whole navigation, for nearly three miles, may be rendered as intricate as possible.

By a standing order of the court, the harbour-masters are directed to preserve a passage of 300 feet in the Pools. The Navigation Committee have recently recommended that the passage room should be reduced to 250 feet; but in point of fact (whoever may be the parties to blame) there is frequently no passage at all, especially at low water. Although we are not often upon the river, it has happened to us twice to be detained in the lower Pool for several hours, waiting with other vessels for the opportunity of

getting through; and on two other occasions we have been compelled to land at Wapping Stairs, in consequence of damage sustained at this spot by the vessel in which we had embarked. This place is the scene of nine in ten of all the accidents on the river recorded in the newspapers. Wherries are sunk—barges are crushed—steamers are disabled—lives are lost. The reason is not the speed of the steamers, but the fact that the passage is so narrow that the small craft cannot keep out of the way of the steamers, and the steamers cannot steer clear of the small craft. In one of the cases to which we have alluded, the steamer, to avoid running down a barge, backed her engine, lost her steerage way, and was swung by the tide among a tier of colliers, through which she lost her foremast, and broke one of her paddle-wheels.

Some time back, when a complaint was made to the Lord Mayor on this subject, one of the harbour masters stated that he considered steam boats to be the greatest curse in existence. This doctrine, which has long been maintained by the members of the Watermen's Company, seems also to have made so much impression upon the Common Council, that a serious proposition has for some time been entertained of compelling the steamers to land their passengers, and discharge their cargoes, at Blackwall, six miles below London Bridge. The only argument used in favour of such a measure is that the swell of a steamer is dangerous to a small wherry. But why not then have boats of a safer construction? The argument is about as ridiculous as if it were insisted that loaded waggons should be prevented from passing through Cheapside, in order to afford greater accommodation to the trucks of the retail grocers.

The insecurity of the small cockle-shells alluded to, plying for hire on the Thames, is notorious; but the fact will scarcely be believed, that so far are the city authorities from interfering in behalf of the public, that if a waterman wish to build a safer boat he is compelled to petition the Navigation Committee to be allowed so great a privilege. A case of this kind was lately reported in the 'Morning Chronicle.' This is not all, for the prizes given for speed by the Watermen's Company, and others, operate practically as a premium on insecurity. The object aimed at being not to build a boat so that it will swim without danger of being upset, but to cut the water swiftly.

The navigation of the river requires nothing more than a few general regulations to the following effect. That the boats allowed to ply for hire below bridge shall be as large, and as safe, as those employed by the watermen at Gravesend; that not more than six vessels shall be allowed to moor abreast on either side of any part of the river; that the first comers shall have the first

choice of moorings; that a reasonable, but a limited time, shall be allowed for loading and unloading; and that on the expiration of that time every vessel, remaining, shall be compelled to moor lower down the river, or go into dock.

The next subject for animadversion is the abuse of the public purse.

Through the indefatigable exertions of Mr. Williams, the member for Coventry, a detailed statement will shortly be published* of the heedless profusion, and criminal prodigality, with which the public money has long been wasted, by both the Court of Aldermen and the Court of Common Council. We shall therefore confine our attention for the present to one or two items of this expenditure.

The first item is startling enough, showing the expense of hiring a man to ride in a gilt coach, and keep up the dignity of the city.

	£.	s.	d.
Salaries and allowances to the Lord Mayor, agreeably to the return of Sir Peter Laurie	7,904	1	3
Annual expense of repairing the state barge and state coach, and stabling	630	11	5
Chaplain, sword-bearer, and common crier	1,093	16	9
Officers of the household, such as master of the ceremonies, serjeant of the chamber, &c.	3,763	13	2
Proportion of salaries paid to water-bailiffs, marshalmen, &c., for duties connected with the mere pageantry of the mayoralty	988	17	4
Allowance to seven trumpeters, butlers, &c.	149	3	0
Annual expense of furniture, lights, books and plate, for Mansion-house, exclusive of £608. 8s. 6d. paid for plate during the last mayoralty	1,115	3	6
Moiety of the expense of fitting up Guildhall for lord mayor's day	264	16	5
	£15,910	2	10

To this might be added the sum of £1,014. 7s., the average annual expenditure for repairs of the Mansion-house; £692. 12s. 6d. ground rent and taxes: and £7,417. 4s. 9d. interest of the capital expended in erecting the building and purchasing the ground, including the original cost of the state barge and state coach: making the total annual expense of the mayoralty £25,034. 7s. 1d.† The whole of the above expenditure may be considered as pure waste; even the building not being required, as Guildhall would suffice for every really public object. Not a single farthing of this enormous sum is expended for any useful purpose.

* At the present moment the greatest exertions are being made, by members of the Corporation, to suppress the report of the Revenue Committee.

† Notwithstanding the positive assertion of Mr. Charles Pearson, (a gentleman who has but recently begun to taste the sweets of office,) there is no reason to believe that the above statement is in the least exaggerated. If the building materials of the Mansion House were sold, and the ground covered with shops and banking houses, the sum charged in the account for interest of capital might be immediately realized.

The expense of the Justice-room at the Mansion-house is a separate charge of £931. 1s. 2d., enough to furnish ample remuneration, both for the duties of a police magistrate, and for those of chairman to a court of common council. The charges specified are also exclusive of a sum of £54,991. 4s. 7d. paid, in the shape of compensation, to various officers of the Lord Mayor's household, who had been allowed to purchase a vested interest in the plunder of the public.

The above account having been furnished by a gentleman who is considered an enemy to the corporation, we will now give a statement published in defence of the city management, in regard to another portion of the funds committed to its charge, written by a late member of one of the committees of the Court of Common Council, called by the name of the 'Irish Society.' This committee is empowered to manage an income averaging £8,200, of trust property, the object of which was the promotion of civilization in Ireland. In justice to the committee, it must be said that of late years a great reform has taken place. Formerly the office of chairman of the Irish Society was worth £1,000 per annum, while the rest of the money was divided among the members; but the object of the person publishing the account, from which the following items are taken, was to show that the public have now no ground of complaint against the committee.

Expenses of Managing an Income of £8,200 for the Public Benefit, by the City of London Corporation.

	£.	s.	d.
Salaries and pensions to officers of the Committee in England	375	0	0
Ditto in Ireland	511	0	0
Incidental expenses in England	397	0	0
Ditto in Ireland	205	0	0
Paid to members of the Committee for attendance	284	0	0
Tavern expenses	285	0	0
Deputation of Members to Ireland	135	0	0
Law expenses last year £484.—Supposed average	308	0	0

£2,500 0 0

This is pretty well for what is called in the Court of Common Council a reformed system of management. It enables us to form some judgment of the extent of those reforms of which the court is willing to admit that it yet stands in need. The public also, when they learn that the sums which passed through the hands of the corporation in the year 1833 amounted to £676,000, will at the same time be enabled to form a tolerably correct estimate how much of that sum was really applied to purposes connected with the wants of the community.

We should add that of the remaining portion of the income of the Irish Society, £530 is given to the corporation of Derry in sup-

port of the Orange magistracy; £540 spent in charitable contributions; only £713 applied to establishing schools; and £788 to quit rents, and payments directed by law. Of the application of the rest of the money we are not able to give any account.

Well may Ireland be considered unfortunate, when, among other of her absentee landlords, she has to reckon the London corporation. It appears that the whole county of Londonderry is divided among the trading companies, and the Irish Society. The share held by some of the companies is very large. The Skinners' Company were lately offered £1,500 per annum, and a fine of £100,000, for a lease in perpetuity of their proportion. The share of the Fishmongers' Company produces £7,000 per annum.

The following statement, for which the public are indebted to Mr. Williams, is an account of the city revenue.

	£.	s.	d.
Income arising from rents, and taxes levied by authority of the Corporation	141,031	13	0
Taxes, rates, &c., levied by authority of Acts of Parliament for paving, lighting, building improvements, and other general purposes	204,433	0	0
Fees, and emoluments, to officers of the Corporation	57,688	0	0
	£403,152	13	0

The above sum does not include £51,437 trust funds held by the corporation; nor the taxes, or impositions, (a better word,) raised by the livery companies; nor the poor rates, and church rates, levied by the parish vestries in the city; nor one million sterling, borrowed from the Bank, and now in course of expenditure, for the approaches to London Bridge.*

The corporation of London is therefore rather a costly government for a population of 122,000 persons; and the fact will appear the more striking if we contrast it with the cost of the local government of the parish of St. Mary-la-bonne, containing a population of 126,000 persons. This parish is governed at an expense under £60,000; excluding of course, to make the comparison equal, the amount of the poor rates, and church rates, paid by the parishioners, but including police rate, county rate, rates for paving, lighting, and cleansing, and highway rates. It is needless to observe, that the parish of St. Mary-la-bonne does not imitate the city in squandering upon twelve of the officers of the corporation (see the following statement) a larger sum than is paid by the country for the salaries of the twelve cabinet ministers.

* The patronage of the London Corporation is necessarily very great, and the temptation to jobbing so irresistible, that it is well understood the only chance of changing the system is that of removing the whole body, and filling their places with new men. There are not twelve members of the Court of Common Council free from the taint of suspicion.

Official Return, presented by Mr. Williams, of Sums annually paid, under various pretences, to Twelve Officers of the London Corporation.

	£.
Lord Mayor £7,904. 1s. 3d., and including his household with other expenses of the mayoralty	25,034
Recorder	3,161
Common Serjeant	1,843
Chamberlain	5,467
Town Clerk	3,586
Comptroller	3,599
Remembrancer	£1,845 }
Ditto, as Deputy Registrar of the Lord Mayor's Court.	661 }
Solicitor	3,000
Clerk of the Works	2,058
Potato and Trust Meter and Assistant	2,914
Comptroller of Bridge House	1,662
	<hr/>
	£54,830

The above is said to be subject to a deduction of £4,438 for incidental, and unavoidable office expenses; but it is understood these expenses are nothing more than those incurred in the establishment of every private gentleman. On the other hand, we have not included in the cost of the mayoralty the expense of the Justice-room at the Mansion-house, and the whole return is probably understated, being taken from the reluctant admissions of the officers themselves.

Return of the Salaries of the Cabinet Ministers, as fixed by a Committee of the House of Commons in 1830.

	£.
Prime Minister, or First Lord of the Treasury	5,000
Chancellor of the Exchequer	5,000
Secretary of State for the Home Department	5,000
„ for the Colonies	5,000
„ for Foreign Affairs	5,000
President of the Council	2,000
„ Board of Control	3,500
Secretary of War	2,480
First Lord of the Admiralty	4,500
Lord Privy Seal, and First Commissioner of Woods and Forests.	4,000
President of the Board of Trade	2,000
Chancellor of the Duchy of Lancaster	2,000
	<hr/>
	£45,480

	£.
Annual cost of twelve City Officers, professedly employed in managing the local interests of 122,000 persons	54,830
Annual cost of the twelve principal Officers of State, employed in governing the United Kingdom of Great Britain and Ireland	45,480
	<hr/>
Difference in favour of the dignity of the City	£9,350

It is curious, that amidst such enormous abuses, the greatest

outery should have been raised against that portion of the City expenditure which is really of an unexceptionable character. We allude to what is called line money. By line money is meant a few shillings per head, sometimes not exceeding half-a-crown, paid to the members of committees, as an inducement for punctual attendance. The members who are not present precisely at the moment when the chairman takes his seat, are not entitled to receive line money for that day; and although the sum is trifling, it is found wonderfully effective in preventing the delay of business. The tavern expenses, and sums allowed for summer excursions, amounting with the line money to £7,000, are of course indefensible. But the public would be gainers, with an income such as that of the City, if, instead of £7,000, £10,000 were given, in a direct form, to intelligent and able accountants, who would really keep a vigilant check upon every other part of the expenditure.

There is one rule all but universal—every public functionary will be paid: if not paid directly for his services, he will pay himself, often twenty times the sum with which he would have been satisfied, by indirect contrivances, or in other words, private jobbing. There is also another view to be taken of the subject. Public men are continually expected to sacrifice to the public their money as well as their time; this is obviously unjust. We will point out a case in proof of this assertion, to which it is highly important that the attention of the Poor Law Commissioners should be drawn. The members of the new boards of guardians, in the country, have not only to attend the board once a week, from ten in the morning till five in the evening, but they have to ride some distance, upon an average four miles, and are put to an expense for coach hire, turnpikes, stabling for their horses, or for refreshments, varying from 5s. to 10s. every time they attend. This will be a consideration, when the novelty of the new system is worn off, quite sufficient to induce many of the guardians to stay away. Among those who would not be deterred by such a motive, will always be those who wish to use the patronage of the board for their own advantage; and thus the new system may, in the end, give rise to as many abuses as the old. We would have every member of a board of guardians, every member of a town council, as well as every member of parliament, paid for his services; not paid so highly as to excite the cupidity of mere place-hunters, but enough to make each feel that he is a public servant, and has taken his fee for the duty he has to perform—enough also to prevent the apology from being made for his neglect of duty, that he could not discharge it without sacrificing his property. In the case of a member of a town council, or of a board of guardians, we think

the remuneration might be fixed at 10s. for every attendance,* subject to a fine of 10s. for every case of absence.

It is necessary to say a few words upon the *constitution* of the London corporation. So much has been said about the republican institutions of the city, that the principles of representative government are likely to fall into contempt with many persons, if we do not show that the corporation of London, and a republican institution, are two things widely different.

The general incompetency of the members of the London corporation, and the criminal prodigality with which they have at all times lavished away the public money, arise from the same source as other public abuses. They are consequences, not of the principles of representation and responsibility, but of the absence of any effective operation of those principles. The corporation of London does not represent the city. There is but one class of honest men having any voice in the election of the Court of Common Council, and they consist almost exclusively of the retail shopkeepers, who are swamped by a host of pauper freemen, and jobbers. Nearly all the wholesale dealers and merchants, forming the first class both for wealth and intelligence in the city, are excluded from the elective franchise, and are ineligible to office. It is true they might always have purchased the privilege of voting on the election of a common councilman, by paying from £40 to £200, but as it has never been compulsory upon them to take up their freedom and livery, they have generally preferred, and with good reason, to keep the money in their own pockets.

But even the existing constituency, such as it is, are not fairly represented. The wards are so divided, that a body of a hundred electors return in some cases as many members to the Court of Common Council as a ward containing a thousand. In the ward of Bread Street, which returns twelve members, seldom more than 55 Persons have been found to poll, even in a contested election.

These facts form a sufficient answer to the argument founded upon the misconduct of the London corporation, to prove that the people are not fit to manage their own affairs. But the constitution of the city of London contains another defect, which we are sorry to see introduced, although but in a few cases, into the machinery of

* It is objected that the gross sum paid, upon this plan, to all the municipal councillors or guardians, (both offices should be identical,) throughout the country, would exceed the amount of the Civil List. We are not frightened by the figures, and are satisfied twice the sum would be saved to the country by inducing a more punctual attendance, and a more honest discharge of their duties, than heretofore. It is said there will be, in England and Wales, 800 Boards of Guardians, and 20 members in each board. Supposing the actual expense now incurred by each guardian to be 5s. per week, the gross amount is £200,000 per annum; but the largeness of the sum is the very reason it should be borne by the public, and not by their representatives.

the new Poor Law Bill, as far as it affects large and populous parishes in towns. We allude to the principle of electing representatives *en masse*, as distinguished from the principle of divisional elections. It has been remarked, on a former occasion, in the 'London Review,' that people will take the trouble to ascertain the qualifications of one or two candidates, but not of 20 or 30; and it was with much surprise we saw this doctrine combated in the 'Examiner.' It was argued by that able paper, that to divide and subdivide a body of electors was only a contrivance for causing a portion of the representatives of a given district to be elected by a minority of the inhabitants, instead of by the majority. The reverse is the fact. It will be found that when a numerous constituency are called upon to elect from 12 to 100 vestrymen, guardians, or common councilmen, the parties chosen are generally the mere nominees of some local junta, it may be of Conservatives, or it may be of ultra Radicals. The rector of the parish sends round a list, with his compliments, or the O'Connell of the district sends round his list; and the people vote, not from their knowledge of the candidates, but from a disposition to believe that the candidates proposed by one party, whether good or bad, must be better than those proposed by the other. Thus the majority of the electors, who perhaps, if placed in a position to act, would not choose their representatives wholly from the extremes of either side, are compelled to identify themselves with one of two parties, or to refrain from exercising their franchise. But there is another evil behind. The list system in a few years necessarily degenerates into a system of self-election; the members always having the power to return each other, until, at least, they become so bad as to be all turned out in a body. The reason is this. There are, we will suppose, 20 members of a board of guardians, all elected from one parish; each of these persons has his 20 friends, to whom he recommends 19 candidates and himself; their united interest thus exercised is in most cases certain to overcome all opposition, and the knowledge of this is almost certain to prevent any from being made. Thus in the wards of the city, where 12 or 16 persons are sometimes elected from one ward, it is always understood that a candidate stands no chance, although there may be a vacancy, if he is opposed by the old common councilmen. Moreover, every member of the whole body has an interest in preventing a contest, since it might, possibly, be his chance to be thrown out. Hence, whatever difference in sentiment may exist among them, they generally agree in one thing, to stand by each other. As an illustration of the working of this system, we may instance the ward of Farringdon Without. Although the majority of resident freemen in this ward are decided Reformers, their represen-

tatives consist of Whigs, Tories, and Radicals, comprising some of the worst, as well as some of the best members of the Court of Common Council.

Nothing can be better than the system of election upon which the poor law guardians are appointed in most of the agricultural unions. A small parish has but one person to elect, and the parishioners always endeavour to elect the best man they can find. In London, where they now vote blindfold, there should be a new electoral division. The small parishes should be consolidated, and the large parishes divided for electoral purposes, each electoral division returning one, or at most two members to the governing body.

We will now turn our attention to other municipal bodies existing in the metropolis, commencing with

THE COMMISSIONERS OF SEWERS.—There are five boards of these commissioners, exclusive of the board appointed by the Court of Common Council for the city. They are all independent trusts: one for Westminster, one for the Tower Hamlets, one for Holborn and Finsbury, one for Poplar, and one which may be called the South Trust, which includes Deptford, Southwark, Lambeth, Clapham, &c. The public money annually expended by these boards may be stated thus:

	£.	s.	d.
Westminster trust, average of ten years	29,000	0	0
South trust—average not known. (expenditure for 1824, £31,870)	31,000	0	0
Holborn and Finsbury division, 1833	12,000	0	0
Tower Hamlets, average of 1832 and 1833	8,800	0	0
Poplar, 1833	2,700	0	0

	£82,500	0	0
Add—The city of London, according to a return to Parliament for 1833	17,718	0	0

£100,218 0 0

A Committee of the House of Commons appointed in 1834 to inquire into the constitution of these boards, reports, that there are several of them which have not been open to the public;—where the right of the rate-payers to inspect the accounts has not been admitted;—and where a real responsibility in money matters can scarcely be said to exist. We may therefore spare ourselves the trouble of proving those abuses of expenditure, which, we safely take for granted, must always arise under such circumstances, although the committee failed (no unusual case with committees) in obtaining distinct proof of the existence of such abuses. It is only necessary to look at the sum annually spent for repairing the sewers, (not in constructing new sewers, the expense of which, in almost all cases, is thrown upon private builders,) and to consider the actual state of the drainage in many parts of London—and the public may then form their own judg-

ment whether £100,000 per annum devoted to this object are judiciously, economically, or honestly applied.

The expenditure of the Westminster trust in 1833 was £33,410 ; yet there are in this district 36 streets without any sewers. There are many parts of London where typhus fever and cholera often prevail to a great extent, as in Southwark, St Luke's, and St Giles's, where the only drainage is by means of cesspools, the contents of which overflowing, or percolating through the brick work, render the whole neighbourhood unfit for the abode of living beings.

The members of these boards are very numerous. In the Westminster trust alone there are upwards of 250 commissioners. As might be expected, were it only from their number, very few of them have attended the meetings of the board : and the evidence before the Committee of the House of Commons is, that up to 1834, the chairman, the clerk, and the surveyor, were practically all the commission,* in every respect except responsibility, (from which their absent colleagues were an abundant protection to them.)

At first sight it may seem reasonable enough that the great proprietors along a line of streets should be the class of men chiefly selected for commissioners ; but there are two objections against them : one, that it is an absurdity to expect that such men as the Marquis of Westminster, or the Duke of Bedford, will attend ; the other, that all great proprietors have a direct interest in throwing upon the public as much as possible of that proportion of the expense of making new sewers which ought to be borne by themselves. In this case, therefore, as well as in every other, there is not only no necessity for the existing system, but there is obvious injustice in taking the power out of the hands of the rate-payers.

In the Holborn and Finsbury division, and some of the other trusts, the business of the board is managed by a committee, and the general body of the commissioners are merely called together occasionally, as a matter of form, to approve of what has been done.

These commissions expire every 10 years, and upon the demise of the crown. They are then re-appointed by the Lord Chancellor, who rarely, if ever, departs from the list recommended to him by the committee, or chairman of the old board. Of course, if a commissioner has rendered himself particularly troublesome to the committee, he is not recommended, and therefore practically the committees, and chairmen of the boards, appoint whom they please.

* The average attendance of Commissioners on this Trust used to be six : it is now thirty, owing to the recent appointment of some new men from the Reform ranks. The system, however, remains the same, and no permanent improvements can be effected till it be changed.

One of the defects noticed by the Committee of the House of Commons in these boards, is the want of combination among them. As independent trusts, they have formed their own independent plans; and these plans have often worked so ill, that by enlarging the dimensions of the sewers under one trust, they have sometimes been the means of flooding, choking up, and destroying the sewers of another.

The laws relating to sewers appear also to be in a singularly anomalous state. The commissioners do not at all understand the extent of their powers. Some of the trusts have local acts, others none. The proceedings of some are governed by law, of others by custom; and the regulations enforced by the different boards are so different, that a builder may be led to violate the regulations of the Westminster trust, by doing that in Westminster which he would be compelled to do in a similar case by the trust for the Holborn and Finsbury division.

COMMISSIONERS OF PAVING, LIGHTING, AND CLEANSING.—The number of independent Boards for these objects, in different parts of London, exclusive of the city, and exclusive of those parishes in which the vestries have power to regulate their own paving, lighting, and cleansing, is nearly 100. As the greater number of these boards are practically self-appointed and irresponsible, they of course publish no accounts of their receipts and expenditure, and we have therefore no means of showing the exact amount of public money committed to their charge.

At the present moment, in the parish of St. Pancras alone, there are 21 paving and lighting boards, comprising 900 commissioners, many of whom reside out of the parish, and many out of the country. Twelve of these boards are close and self-elected, the rate-payers having no control. Six are partly elected by the rate-payers; and in one all the commissioners are so elected, excepting one, Lord Southampton, who is the ground landlord. The jurisdiction and powers of these boards were contrived, at the time of their creation, by the jobbers and proprietors of the different estates. In all, the qualification is so high, that it is difficult to find commissioners, and on some of the estates there are not sufficient qualified inhabitants to make up a legal board. All the boards are very heavily in debt. There are 24 local acts relating to the parish of St. Pancras, chiefly to the paving and lighting boards, yet notwithstanding this amount of legislative interference, there are several parts of the parish in which there is no paving and lighting but what each housekeeper supplies for himself. Similar facts might be adduced in abundance from other parishes, but one instance will suffice. The objections to the system are three: first, the certainty that it must give rise to enormous abuses; second, its cost, even with honest management.—

as it is obvious that any one board would be competent to discharge the duties of 20 or 30, and that a large contract for paving or lighting is more economical than a great number of small contracts; the third is the public inconvenience occasioned by having the business done at different times which requires to be done at one time. It is no uncommon thing for the paving of a street to be under the direction of three or four different boards. We will suppose that the whole street requires repaving: the task is commenced by one board at their end of the street. Perhaps two or three months elapse before another board of commissioners discover that their end of the street also requires repaving. After a time a third board begin to repave the middle part of the street. When at length the whole street is finished, come the gas companies and water companies to mend their pipes, and the paving is again disturbed. Last of all, just as the inhabitants are congratulating themselves that the thoroughfare will not be again impeded, the Commissioners of Sewers begin to suspect that there is some defect in the drainage, and the road is again blocked up for perhaps two or three months to repair the sewers. Under a judicious system of combined management, it is manifest that all these objects might be effected at once, at a title of the expense now incurred, and without any serious stoppage of the public thoroughfares.

VESTRIES.—The city of London and the metropolitan boroughs comprise nearly 200 parishes, almost all of which contain a governing body called a vestry; but each vestry differs from almost every other in the principle of its appointment or in the extent of its powers. *The select vestries* are those in which the members appoint each other, filling up vacancies as they occur, without any reference to the rate-payers. *The open vestries* are those in which the parish business is professedly managed by the whole body of the rate-payers. Next to the principle of self-election, nothing can be worse than that upon which the open vestries are conducted. It is perfectly clear, that the whole body of rate-payers in a parish cannot neglect their own private affairs to look after those of the public, and hence the affairs of the parish necessarily fall into the hands of the jobbers, who are always punctual in their attendance. These gentlemen sometimes push matters too far, and a great commotion is raised by some determined reformer, fortunate enough to possess nerves of iron and the lungs of a Stentor, who addresses his fellow-parishioners vehemently for an hour together, upon the subject of the parish abuses. The meeting called to pass a motion for a rate is adjourned; another is called, and 1,000 persons assemble to rave, storm, wrangle, fight, and perhaps, if they can get through so much business, vote certain strong resolutions against the churchwardens and overseers. For a time the jobbers

are held in check: but the excitement dies away; each of the rate-payers has his own business to look after; the parish Demosthenes breaks a blood-vessel, or is silenced in some other way, and matters return to their original state. Besides select vestries and open vestries, there are vestries under Sturges Bourne's Acts, vestries under Hobhouse's Act, and other general Acts, and a considerable number of vestries under local Acts of their own.

An impression prevails, that the existing vestries will all be superseded by the new boards of guardians appointed under the Poor Law Amendment Act. This is a mistake. The Poor Law Commissioners have only power to remove from the vestries the management of the poor. The vestries are still left in possession of various branches of public business, including in some cases the paving, lighting, and cleansing of the parish, and, generally, the repairs of the churches, and other buildings, and management of trust property left for a variety of objects. Some of the vestries are impropriators of tithes, and have power when they please to harass the parishioners with this oppressive impost. The trust property held by many of the old vestries in the city for repairs of the churches, and for charitable purposes, is so large, that if the funds placed at their disposal were properly applied, and economically administered, instead of being squandered, the inhabitants of that part of London might at once be free from church rates, without having recourse either to the voluntary system, or to government aid. The trust money, however, is beyond the reach of either Church or Poor Law Commissioners, without a specific Act of Parliament. Some of it was left for the relief of the poor, before the 43d of Elizabeth. Other portions were left at the time of the Restoration, as an inducement to make the poor attend the churches, which had been deserted during the Commonwealth. On this account, the money left for this object is directed to be given away in the churches. It now passes by the name of gin money, because the parties who receive it are generally seen to enter a gin shop shortly after they have left the church doors.

To illustrate the working of the parish system among the city parishes, we will give an instance of the waste of public money by a select vestry. We allude to the select vestry of the parish of St. Sepulchre; and it is necessary to premise that this is considered one of the best regulated parishes within the city.

A report was made to the vestry, about twelve months back, that the roof of the church required repair. The expense was estimated at a few hundred pounds. A subsequent survey raised the probable cost to £3,000. Ultimately a contract was entered into for the repairs at £4,055; the contract not being advertised, but the competition confined to a few builders, known to the vestry. Other contracts for additional repairs made a sum total of

£4,555. A committee was then appointed to 'superintend the fulfilment of the contracts, and one of the churchwardens, remarkable for his zeal in the cause of church and king, volunteered his services for another year, to assist the committee. All of these gentlemen being highly respectable, of course there was no stipulation that they should not make jobs for themselves, nor exercise the patronage they might possess for the exclusive benefit of their friends. The repairs are now completed, and the surprise of the parishioners may be conceived when they were called upon to defray the following charges:

	£.	s.	d.
Builder's contracts	4,555	0	0
Bill for extras	2,400	0	0
Upholsterer's bill, chiefly for cushions round the gallery . . .	603	14	4
Velvet, fringe, floor-cloth, &c.	43	5	0
Various tradesmen's bills, several of them furnished by churchwardens and members of the committee, for work which ought to have been included in the contracts	295	6	1
New clock	156	0	0
Repairing gas pipes, for which the original tender was under £25 . . .	133	0	0
Repairing the organ	258	0	0
Surveyors	300	0	0
Clerk of the works	180	0	0
Law expenses incurred in borrowing £6,000, as far as the charges are yet ascertained	551	4	4
Law expenses incurred by returning the £6,000, and borrowing £8,000 of another person	100	0	0
New bibles and prayer-books for churchwardens' pews, although the same pews were well furnished with bibles and prayer-books two years back. (The bookseller a nephew of the churchwarden.) . . .	80	0	0
Interest of money borrowed	128	8	11
Other charges unknown, but at least	216	1	4
	£10,000	0	0

It is important to state that this expenditure for 1835 is only an addition to an annual charge of £283 (the average of six years) for work done by various parish tradesmen in repairs of the church, as reported in the printed accounts of the vestry. The income of the parish, chiefly derived from freehold property, and exclusive of rates, is about £2,000; of this sum £1,590 are every year applied to purposes connected with the church. With so large a revenue it would seem possible to keep the roof from falling in without involving the parish £8,000 in debt, or exciting the rate-payers against the Establishment by reviving the tithes, (this was lately attempted,) although twenty years have elapsed since the tithes were collected in this parish.

After the facts we have stated, it will be unnecessary to dwell upon various other items which appear in the annual accounts published by this vestry, such as charges of from £80 to £120 for refreshments, and a sum of £24. 13s. 10d. paid for a single dinner, on the occasion of visiting some children at nurse. We conclude this illustration of parochial management by observing,

that among the auditors of the accounts of the vestry for 1834-5 appear the names of two of the tradesmen whose bills formed part of the accounts to be examined.

It is necessary to bear in mind that the abuses we have described are not of a kind to be reformed by the provisions of the new Poor Law. The parish is about to be formed, along with others, into a union for the management of the poor, but the trust funds, and church property, will remain under the control of the vestry; neither can it be effectually reformed by placing it under any local or general Vestry Act. The machinery of a vestry is not wanted to manage an income of £2,000 per annum, and must always occasion a waste of public money. One vestry, or one board of local representatives, would suffice for all the churches in the city of London, and all the property pertaining to them, and would save the expense of the far greater number of vestry clerks, and other parish officers, rendered necessary by the existing system. To this consideration we may add another, that in London, where commercial transactions are conducted on the largest scale, it is not possible to induce a very superior class of men to interest themselves in the petty details of a small parish; but the municipal management of all London would be an object of sufficient magnitude and importance to call forth, under a sound representative system, the energies and talents of some of the first men of whom the metropolis can boast.

THE BENCH OF MIDDLESEX MAGISTRATES is another institution affecting the interests of most of the metropolitan parishes. Throughout England the county magistrates act in a two-fold capacity—as municipal councillors, and as justices, or police judges. As municipal councillors they perform for a county precisely the same functions as those which have been given for the most part to the new corporations. The purposes to which county rates are usually applied, are specified in about 50 Acts of Parliament passed at different periods. Those purposes may be generally defined as relating to the repairs of the highways, bridges, shire halls, and other public buildings, management of prisons, and lunatic asylums, and expenses of public prosecutions. The amount raised in the county of Middlesex for these objects averages about £70,000 per annum, of which the proportion paid by the parish of Mary-la-bonne alone is £10,000. £70,000 per annum is a large sum to apply merely to local objects not included in the ordinary items of parochial expenditure, but it seems not to have been found sufficient, even with the aid of other funds obtained indirectly from the parishes. The county of Middlesex is at this moment in debt (or was so in 1833) to the amount of £232,778. 6s. 2d. No one will be surprised at the fact, when he considers that in this case also the guardians of the public purse are self-appointed

and irresponsible persons;—self-appointed, because it has long been notorious that any retired tradesman or county squire, of the right complexion of politics, can get his name put on the commission without any inquiry into his fitness if he have a friend acquainted with the Lord Lieutenant;—irresponsible, because the county magistrates are allowed by Act of Parliament to audit their own accounts.

A single instance will suffice to show the manner in which public money is expended under the direction of this body. We are indebted for the information to a committee appointed by the vestry of St. George's, Hanover-square, to inquire into the expenditure of the county rate.

In addition to the cost of erecting the Hanwell Lunatic Asylum, paid out of the county rate, the parishes were charged at the rate of 9s. per week for every lunatic pauper sent to that establishment. The actual expense of maintaining the paupers, to the managers of the asylum, is 4s. 6d. per week: a profit therefore of cent. per cent. was charged to the parishes upon each pauper. When by these means the sum of £6,000 was realized, instead of returning it to the parishes it was expended in building a wall round the burial-ground, and in alterations either not required, or for which there were ample funds provided by the county rate. The sum now exacted from the parishes for a lunatic pauper is 7s. per week.

Besides the power over the public purse held by the Middlesex magistrates, they are also possessed of other powers similar to those which have recently been confided to the new town councils, such as the power of granting spirit licences, music licences, &c. The abuse of these powers is matter of public notoriety, and must quickly effect some change in the system. Equally notorious is their neglect and perversion, or incompetency to the proper discharge, of their judicial duties. But this part of the subject opens too wide a field to be travelled over at the present moment.

CHURCH COMMISSIONERS.—A large proportion of the churches and chapels of ease in London are under the vestries of the parishes; but, in many of the parishes, the control of the churches is given to boards of commissioners. Some of these boards contain upwards of 70 members, self-appointed, irresponsible, and sworn members of the church of England. The interests of the Church, as well as the public interests, would be promoted by the extinction of these boards. But we think it especially important that the people of England should never yield their assent to the doctrine that it is ever just or expedient to take from them the management of the churches. They are public property, having been paid for with the public money, and are not therefore to be given up to any one sect, whether it be called the church of Eng-

land, or by any other name. The time, perhaps, is not far distant when the spirit of sectarianism will be nearly, if not entirely destroyed, by one act of justice which we do not despair to see obtained—that of allowing the majority in every district, through their local representatives, to appoint *in their own parish churches, their own moral and religious teachers*, without reference to any creeds, forms, or articles of faith, contained in Acts of Parliament.

THE COMMISSIONERS OF WOODS AND FORESTS form another municipal body, to which we are anxious public attention should be directed. We have no data to show the exact extent of the jurisdiction of these Commissioners, but it is very great. They manage a vast amount of public property, situated in the metropolitan boroughs, and among other municipal powers they possess the right of patronage to various churches and rectories, with the power, in certain cases, of appointing clerks, sextons, and churchwardens. These and similar privileges affecting the parish of St. Mary-la-bonne alone, were purchased, together with the freehold of four chapels of ease, from the Duke of Portland by the Commissioners, for the sum of £40,000. We mention the fact, knowing nothing of the circumstances, but with the view that it may lead to an inquiry into a branch of our subject which might otherwise escape observation.

Omitting for the sake of brevity any further notice of the various other bodies which we began by enumerating, we proceed to make a rough calculation of the amount of public money annually expended in London upon municipal objects.

	£.	s.	d.
The city revenue	403,152	13	0
Trust funds held by the London corporation, and by the trading companies, exclusive of funds which may be deemed the private property of the companies	250,000	0	0
Trust funds held by vestries for general purposes	150,000	0	0
Public money annually expended upon bridges and street improvements, by various bodies	400,000	0	0
Rates for paving, lighting, and cleansing the metropolitan boroughs	300,000	0	0
Sewers' rates for ditto	85,000	0	0
County „ „	50,000	0	0
Church rates, police rates, highway rates, and other local taxes, say	361,847	7	0
	£2,000,090	0	0

The above is exclusive of the poor rate,* and of the revenues of public hospitals and schools, such as Christ's Hospital,† supported partly by endowments, and partly by local taxation, which altogether would swell the amount, without the least attempt at exaggeration, to upwards of £3,000,000 sterling. The exact

* The poor rates for the 172 parishes of the metropolis, in 1833, were £506,648; in 1835, £431,253.

† The income of Christ's Hospital is £55,000; St. Bartholomew's Hospital, £35,000. Several others are enormously rich.

amount of the funds raised, or available, for municipal objects in the metropolis, can only be ascertained through the medium of a parliamentary inquiry. We should not be surprised if such an investigation, assisted by powers to compel the production of accounts, were to prove that the collective revenue of the municipality of London is nearer £4,000,000 than £3,000,000. The above statement will, however, serve to give a general notion of the importance of municipal reform to the inhabitants of London, considered merely in a financial light.

The question to be asked is, whether a revenue so vast as we have described, shall be continued under the control of a multitude of petty, isolated, and irresponsible bodies, or whether they shall be superseded by a system of centralized organization, based upon the principle of popular representation. The question may be answered by the following statement of accounts, showing the difference between the management of an old select vestry, chosen from what is generally deemed the most respectable class, and a vestry founded upon an approach, at least, to reform principles.

PARISH OF ST. MARY-LA-BONNE.

1833.

Rates assessed under the old system.

	£.	s.	d.
Poor rate, including police and county rates . . .	102,344	0	0
Repairing, cleansing, and lighting . . .	25,607	0	0
New paving	2,527	0	0
Church	9,304	0	0
Highway	1,847	0	0
Park south of New Road	576	0	0
Metropolis Road	3,104	0	0

£145,609 0 0

1835.

Rates assessed after the principles of Sir John Cam Hobhouse's Vestry Act had been fairly brought into operation

	£.	s.	d.
Poor rate, including police and county rates . . .	54,950	0	0
Repairing, cleansing, and lighting . . .	23,099	0	0
New paving	0	0	0
Church	6,464	0	0
Highway	1,921	0	0
Park south of New Road	455	0	0
Metropolis Road	0	0	0

£46,889 0 0

Difference in favour of the new system £58,720.

The sum actually saved by the parish of St. Mary-la-bonne is, however, greater than would appear from this statement; the total general expenditure of 1833 having been £183,116, while that of last year was only £106,890; showing that £76,226 were wantonly sacrificed by the old vestry in the year ending June 30th, 1833.

The Vestry Act introduced by Sir John Cam Hobhouse is decidedly the best that has yet received the sanction of the Legislature. It has, however, several serious defects. The qualification clause requires that an elector shall be rated as high as £40 per annum, by which, in many of the poorer parishes, two-thirds of the inhabitants would be disfranchised; and the Act has the common defect of permitting the vestrymen to be chosen upon the list system, or *en masse*.

The Mary-la-bonne vestry consists of 116 members, but we are certain that, besides themselves, there are not 50 electors in the parish having even a personal knowledge of all their local representatives. In London, where an inhabitant householder is often not acquainted with his next door neighbour, what can he know of the merits or demerits of 116 individuals, the greater part of whose names, perhaps, he has never before heard?

In this case, as in others to which we have alluded, the majority of the vestry are practically the nominees of five or six persons more generally known, and upon whose judgment in the selection of their coadjutors the rate-payers were compelled to rely. It must be admitted that the nominators of the present vestry fairly discharged their duty. But the tendency of the system may be distinctly traced in the strong feeling occasionally displayed by the vestry against the Poor Law Amendment Bill; a feeling which we are led to believe has hitherto prevented those further reductions in the workhouse department which from the seventh report of the auditors still appear to be necessary. On this head it is clear that many of the vestrymen, however unexceptionable in other respects, represent the opinions of the influential party by whom they were returned, but not the opinions of the majority of the inhabitants of Mary-la-bonne.

We come now to the remedy. It consists in simply carrying out the principle that representation should always be co-equal with taxation; and that the less the machinery of government is complicated, the more efficiently it will work.

The first thing to be done is to secure a real representation of the people: and to effect this object, we repeat, there must be a new electoral division for the whole of the metropolis. One small parish might be taken as an electoral district, or precinct. The larger parishes should be divided into precincts of a smaller extent, each precinct to return one, or (for the reasons already stated) at most two members of the local administrative body.

There should be but one system, and but one day of election, for all kinds of local representatives, whether called upon to perform the office of guardians of the poor, or guardians of the streets. The assembled body of representatives would form a

municipal council: and their first act would be to divide themselves into committees for the more effectual discharge of their public duties. There would be one committee for the administration of the poor rates, which might still be called a board of guardians, and remain under the superintendence of the central board of commissioners. There would be another committee for churches, and other public buildings; and committees for roads, streets, bridges, sewers, prisons, and other departments of public business. Every member of any committee should be paid for his attendance, and fined for his absence, at the rate we have suggested, not exceeding 10s. each time. The committees would appoint their own executive officers, such as secretaries, chairmen, surveyors, &c., all with salaries; and the general body of municipal councillors would appoint a mayor, and other subordinate officers, also with salaries.

The difficult part of the question is the impracticability of placing all the local affairs of London under the direct management of one central governing body, by reason of the vast extent of the metropolis; and on the other hand the inconveniences that would arise from forming a number of independent corporate bodies, without the power of deliberating and acting together upon subjects involving the common interests of the whole. To obviate this difficulty we propose the following plan of organization.

The city of London, and the six metropolitan boroughs, each to appoint its own municipal council, and each municipal council to elect six senior councillors, (we object to the term aldermen,) to form a central council, or upper chamber, composed of 42 members. The powers of this upper chamber should extend to the following objects:—

1. To frame a code of by-laws, regulating the traffic of the streets, and thus obviating the necessity of employing Alderman Wood to bring a bill, every session, into the House of Commons, on the subject of mad dogs, or omnibuses.

2. To regulate the dimensions and levels of the sewers.

3. The navigation of the river.

4. The direction of the police force, through the president of the upper chamber, who (without otherwise changing the present police system) should be *ex officio* one of the commissioners of police.

5. Superintending and directing all extensive public improvements, such as the plan for a public quay on each side the Thames, a long line of new streets, and similar objects, which the municipal council of each borough could not effect in its individual capacity.

6. Annulling the acts of a borough municipal council, when they might be such as to militate against the common interest of the whole municipality.

7. Generally all other local public objects requiring unity of design, and combined operations.

The powers of the borough councils would extend to all objects exclusively affecting the particular borough, and they would be intrusted with working the details of all the general measures set in motion by the central body. The mayor of each of these councils would be the chief executive officer of his department, like the mayor of an arrondissement in Paris, whose duty it is to carry into effect, in his arrondissement, the instructions of the municipal council by which Paris is now governed.

The authority of the mayor in each of the metropolitan boroughs would be supported by a portion of the police force placed at his disposal, but not absolutely withdrawn from the superior control of officers appointed by the government.

It should be observed that the police of the metropolis is in different circumstances from the police of any of the provincial towns. In the country there is an obvious propriety in placing the police entirely under the control of the municipal councils; but London is the seat of government, and government to protect itself requires to have at its disposal, ready for any emergency, a civil or a military force. Either then there must be two bodies of police in London, one for the government and another for the municipality, or one body for both purposes. There are many reasons why there should be but one body, and none against placing it under the immediate direction of ministers, when forced by a popular House of Commons to become the servants of the people. It will be the people's own fault if the power be given to their enemies.

The powers which should be intrusted to a local government in regard to the appointment or removal of judicial functionaries, is an important part of our subject, and one to which it is impossible we can do justice in the present Number. We want a new system for the administration of justice throughout the whole country,* and it is to be regretted that there should have been any tampering with the subject in the bill passed for the reform of the old corporations.

Every public servant, from a parish constable to a prime minister, should be paid, that there may be no excuse for the neglect of his duties. But if the national poverty be such, that in some cases the country must depend upon the voluntary services of those who will work only when it pleases them, the very last public servant who should remain unpaid is the judge. Justice is too serious a matter to be left in the hands of idle gentlemen

* The number and diversity of local courts in the metropolis is remarkable. There are Sheriffs' Courts, the Lord Mayor's Court, Courts of Hustings, Courts of Request, Courts Leet, Ward Inquests, Courts Baron, Secondaries' Court, &c.

who wish to amuse themselves for an hour, (when they can find no other employment) in hearing causes. If it be important to a suitor in Chancery that a properly-qualified judge should be paid for attending to his business, it is still more so to a poor man, who is sent to the treadmill, because the magistrate will not give himself the trouble of listening to evidence. The appointment of unpaid magistrates, by the new town councils, is an evil second only to the previous one of a magistracy both unpaid, and selected exclusively from the Tories. What can the poor expect who have to apply for information, or redress, at the door of a great man, no matter whether Whig or Tory, living in a mansion surrounded by livery servants, or constantly busied in a counting-house with a host of clerks? What have been, and what will be, the frequent answers, as long as the system continues, to humble suitors, who modestly inquire when his worship will be at liberty to grant them an audience?—‘He is not yet up,’ ‘he is at breakfast,’ ‘at dinner,’ ‘gone out hunting,’ or ‘coursing,’ ‘he is engaged with a customer,’ ‘gone upon ‘Change,’ ‘exceedingly busy,’ ‘can you not call in an hour, or to-morrow?’ or, ‘Mr. Brown, another magistrate, lives only five miles off, or at the other end of the town.’

If it be worth while to have a local judge, whether to try a police case, or an action at law, it is worth while to have him upon such terms as will command his services at the very moment they are required. But there is another evil in an unpaid magistracy which it is important to notice. The system is one which prevents any class of men from training or educating themselves into fitness for the office. A man will not serve an apprenticeship to the law, nor even take the trouble to read through ‘Burn’s Justice,’ merely for the sake of benefiting his neighbours by the amount of his legal information. Hence, at the moment when an efficient magistrate is wanted there are none to be found, and the public are placed in the peculiar position of being compelled to appoint men entirely ignorant of all that relates to the duties they are called upon to discharge.

The first object to be accomplished, in regard to municipal reform, is to create everywhere the necessary machinery of local government. The next is to supersede, as quickly as may be practicable, all the existing boards, giving their powers to the new municipalities. The third is to establish local courts, invested with judicial functions exclusively; separated alike from those which pertain to the duties of a serjeant of police, and from those of a municipal councillor.

This last is an object not to be introduced as part of some more general measure, but which demands a separate and anxious consideration, as the most important subject upon which a government can legislate.

It is required that there should be courts always open, and accessible to a poor man, without the sacrifice of either his time or his money. It is required that, attached to every court, there should be a public law-adviser, whose duty it should be to explain the law to all who might apply for information, and without any fee or reward beyond his appointed salary. And it is required that those who are to expound, and those who are to administer the law, should be educated especially for those objects; and should not, ultimately at least, be chosen from a class of men who are apt to lose sight of common sense by constantly endeavouring to make the laws serve the interests of their clients, or those of their class, rather than the ends of justice.

With regard to the appointment of local judges, the municipal councils should perhaps have a negative voice. Mr. Bentham's plan was to create a minister of justice whose sole business should be to find out the men who might possess the right qualifications, and to superintend them when appointed. One thing is clear, that the local as well as the general government ought to have, under some form or modification, the power of removing a legal or judicial officer who might, after full trial, be found incompetent to the discharge of his duties. It is high time to get rid of the monstrous doctrine that a judge, whether good or bad, should be appointed for life and irresponsible; as if that were not the means of destroying, instead of promoting, the only independence which is desirable in any public functionary—*independence of corrupting influence.*

We will conclude with noticing the argument, now commonly heard from Tory lips, against the principle of popular municipal institutions—that the new town councils will become normal schools of political agitation. Upon this we shall observe first, that if it were desirable, it is perfectly practicable, to permit the existence of a popular local government, and yet deprive it of the power of discussing political grievances. This is done in Prussia, and various other countries where the local institutions are founded upon a popular basis, and the general government is a despotism. In Prussia the municipal councils elected by the people appoint their own mayors, and their own local magistrates, the government merely retaining a veto on the appointments in Berlin, and some other of the large towns. It is, however, well understood that no municipal council, nor officer appointed by them, may interfere with the measures of the King and his court. In Paris the municipal council, elected upon popular principles, is assembled by the prefect of the Seine, who has power instantly to dismiss them, if they begin to discuss matters belonging to general politics. It would be better that this power should be tolerated in a minister of the Crown over the municipal council

of London, than that the metropolis should be any longer given up to be plundered by the jobbers we have exposed. But the argument is puerile that any danger is to be apprehended to the interests of this country from the political discussions of municipal councils. Dangerous they will be to Tory domination—dangerous they would be, if not checked, to every despotic government; but it is impossible they can be dangerous to a government based upon the same principle with the councils themselves, the principle of popular representation. Who ever dreams that a meeting of the municipality of New York is likely to threaten the existence of the American republic? The strength, not the weakness, of that republic is in the freedom of its municipal institutions.

In this country there are two kinds of political agitation—one which leads peaceable men quietly to assemble, and deliberate, the other which produces the tumultuous and noisy proceedings of mobs. The former should be encouraged, the latter checked; and this will be one of the salutary effects of municipal reform. A petition from the local representatives of a town will always command more respect than a petition emanating from a noisy public meeting. We may expect therefore frequently to read of petitions from the new town councils; but on the other hand we shall seldom hear of the peace of a neighbourhood being disturbed by an assemblage of 50 or 100,000 men in the open air.

We have heard it stated that popular municipal representation was the cause in Paris of many of the excesses of the first French revolution. On referring for proof of this assumption to the best histories of the time, we found, as we expected, the fact to have been directly the reverse. The only municipal body existing in Paris, previously to the taking of the Bastille, was composed of the *Prévôt des Marchands* and 26 councillors, all of whom were nominated by the Crown. When the Bastille was taken the provost disappeared, and, the leaders of the revolution taking possession of the *Hôtel de Ville*, an attempt was made to form something like a municipal constitution. A body of town councillors were elected from the ‘*citoyens actifs*,’ (a class of inhabitants answering to our rate-payers,) and Bailly was placed at their head with the title of Mayor of Paris. This representative system worked well while it lasted. The mayor, and his coadjutors, endeavoured all they could to allay the popular fury, occasionally even exposing themselves to its violence. They failed; and after an experiment of about three years, the system was broken up by the events of the memorable 10th of August: Paris was given up to the mob, and forms of government became the playthings with which the leaders of the dominant faction merely amused the people.

It would be much nearer the truth to assert that the horrors of the first French revolution arose out of the *absence* of popular municipal institutions. The people had never been accustomed to self-government. All power had been concentrated in the King, and when he was deposed the whole machine of government necessarily fell to pieces. Anarchy was the result. But had the people been accustomed to appoint, and yield obedience to, their proper leaders, the task of reconstructing the government would have fallen into the right hands, and order would have been maintained.

Those who may one day see a Prussian revolution, will never witness the scenes of violence, and bloodshed, in that country which prevailed in France. The next generation in Prussia will, to a man, have had the benefits of an enlightened system of education. They will have been accustomed to govern themselves in their own local affairs, and when the people discover that the national affairs may as well be governed upon the same principles, the object will be noiselessly effected with a single effort.

Let us not be mistaken: free municipal institutions have a tendency to shorten the period of every violent organic change, but not to promote revolution. Indeed they have rather a contrary tendency. It is obvious that public discontent must be diminished as we lessen the number of local grievances. The abuses of the old corporations were much more powerful causes of agitation than the new town councils will ever become. With a good municipal government, and a reduced scale of public expenditure, the people would care comparatively little whether they lived under a republic or a monarchy. It is doubtful whether the Reform Bill would have been carried but for the pressure of the poor-rates, tithes, and other local burdens.

W. E. H.

ART. V.

MONRO'S RAMBLE IN SYRIA.

A Summer Ramble in Syria, with a Tartar Trip from Aleppo to Stamboul. By the Rev. Vere Monro. In 2 vols. Bentley, London, 1835.

IF a man in making a tour, no matter where, writes a journal and publishes it, the public naturally ask, and they have a right to do so, why it is published? The author ought to be able to answer that it is for instruction or for amusement, or for both. If it accomplish neither of these ends, the book is a mere impertinence. To attain the first end, the author must either tell the world

something that it did not know before, or he must put something that was known before in a clearer light and a more useful form. To attain the second end, he must be able to describe with fidelity and spirit the scenery of the countries he traverses, and the manners of the inhabitants; at least, as much of both as an accurate observer can be supposed to take in from a brief and passing survey. But when the ground gone over by the tourist is altogether or almost new, the public will not be so rigid in the exaction of high intellectual qualities from the writer, since he can scarcely miss, if he keep his eyes and ears open, to tell them much that they did not know before. The successful campaign of Ibrahim Pacha has thrown open to Europeans parts of Syria which before were almost inaccessible. 'Formerly,' says Mr. Monro, 'at the gate of Damascus it was the practice to make Christians dismount, as they were not allowed to ride through the sacred city. All arms were taken away; and if the ill-starred visitor chanced to wear the European dress, especially the hat, he could not enter on any terms, but was driven from the gate, hooted, pelted, and treated with every indignity. If he wore a white turban, a distinction forbidden to a Nazarene, it was pulled off, and he was compelled to proceed bareheaded.'—vol. ii. p. 57. But now even 'a father of the pot'* may enter, wearing the 'pot' itself, without other remarks being made upon him than, in a low suppressed voice, 'Franghe! shoof, shoof about tangera!'—'A Frank! look, look at the hat!'

As a book of amusement, the 'Summer Ramble' of the Rev. Vere Monro possesses more than ordinary merit. His descriptions are spirited and graphic; his style is lively and idiomatic, devoid of stiffness or affectation. Without making any pretensions to the higher qualities required in a traveller—great accuracy and minuteness of observation, generalizing habits of mind, or profound scientific acquirements—Mr. Monro possessed qualifications of another kind, in a degree not possessed by the majority of travellers; an adventurous and determined spirit, and great capability of enduring fatigue and privation. Mr. Monro rides, whenever he can, a fiery Arab, and keeps pace with and almost knocks up Ali Aga, the government Tartar, 'the *ne plus ultra* of his race, who could sit seven days and nights on horseback without sleeping, and who ate nothing but air.'

The above-named qualities of body and mind inhering in a clergyman in the degree in which they appear in Mr. Monro,

* The Damascus method of describing a man who wears a hat, 'Abou tangera.' 'Abou,' says Mr. Monro, 'signifies, in Arabic, "father of," or "having;" i. e. it always describes possession when thus prefixed. "Tangera" is the pot in which rice or lentils are boiled, which is thought to resemble our hat.'—Monro, vol. ii., p. 59.

have excited surprise, not unmixed with a little virtuous indignation, in some of Mr. Monro's critics, who seem to have previously imagined that the race of hard-riding parsons was extinct in England. This, however, is not the case, as the personal experience of any one who knows intimately the sort of life led now or recently by many of the under-graduates at the universities of Oxford and Cambridge can testify; and as it may serve to throw light on the character of our author, as a hardy and adventurous traveller, we shall say a few words on the subject.

A few years ago it happened to us to be acquainted at one of the English universities with a set of fox-hunters, several of whom were intended for and afterwards went into the Church. Their talk was almost solely of horses and dogs, of fox-hunting, horse-racing, and tandem-driving—not coach-driving, that being considered by the 'set' in question as 'rather low.' The walls of their rooms were covered with prints such as might be considered congenial to their cultivated minds, with portraits of celebrated racers and hunters, and dogs remarkable for their courage or sagacity, among which the achievements of the dog Billy, of rat-catching reputation, occupied a prominent place. The 'toggerly' of their outer man, though plain and in good taste, as befitted English gentlemen—for such they were—was made to conform as precisely to the rules and canons of their order as that of a Quaker to those of his. For instance, they invariably adhered to 'grave colours, most commonly black, eschewing scrupulously everything resembling glitter and ornament, except when they appeared in the hunting-field, and there they shone forth resplendent in scarlet coats, white cords, and well-cleaned top-boots, mounted on horses pre-eminent for their beauty, high breeding, and high condition. Their riding was worthy of the horses they rode. One of them in particular, a man too who never boasted of his horsemanship, (of whom we intend to say a few words presently,) usually led the hunting-field wherever he was.

The contrast was great between them and another class of two-legged creatures, we mean the English dandy, exquisite, coxcomb, or fop. The style of the horse used (we mean *usually* rode, for of course if the fop hunts, and can leap, which one or two have been known to do, a tolerable hedge and ditch, or a five-barred gate or hurdle, he must use such a four-legged animal as our plain fox-hunter) by the fox-hunter and the dandy respectively, will illustrate this contrast sufficiently for the present purpose. Our fox-hunting friend 'likes to have plenty of bone under him.' He rides an animal that can 'trot fourteen miles an hour without turning a hair, and carry fifteen stone up to any hounds in England. Very different is the beast upon which the dandy shakes his

ambrosial curls as he ambles along through street and park—a slight dressy creature, for which our fox-hunter entertains a sovereign contempt, but which nevertheless we hear boasters sometimes talk of as fit to carry them ‘up to any hounds in England.’

As might be supposed, the kind of young men of whom we have been speaking took the very smallest possible interest in the studies of the University, or indeed in any branches of learning out of their own peculiar department. They were certainly for the most part not *literate* men, and would have found it extremely difficult to obtain ordination if their obtaining it depended on their being such. Many of them had such an invincible repugnance to letters, that not even the most interesting romance ever penned could tempt them to lose their precious time in reading. One of them who occasionally looked into the *Sporting Magazine*, and from time to time *studied* a novel from the circulating library, used to look down upon the others as unlettered men, who returned the compliment by regarding him as a ‘slow coach’ and a ‘spoony.’ It was an awful visitation upon them when they had to go through the three or four months’ *crum* absolutely indispensable to the degree of bachelor of arts. One of them observed to us, that he was become quite an altered being; he said his hands had quite changed their colour; although, he added, he read with his window half open in November, that if he could not get exercise, he might at least ‘get fresh air;’ for the horror of being ‘plucked’ was before his eyes, and he was a younger brother, whose portion was to be a valuable living, which could not be procured without his degree.

But our fox-hunter’s dislike to University pursuits was not limited to the studies; it extended to the devotion and the eating. He eschewed the chapel and hall not much less than the lecture-room. His devotion he thought could be as well attended to in bed, or on the way to covert, as in the college chapel; and for his food he preferred some inn in the town, the wines and cookery of which were to his liking. He esteemed French wines and cookery to be *outlandish*, but he liked his English cookery to be good of its kind, and his port rather ‘clarefy,’ to both of which, as he passed much time in the open air and took violent exercise, he did ample justice. On hunting days the ‘set’ used to go to covert in a coach or coaches and four, having sent their hunters over the evening before. After a hard run, they returned, in the way they came, to their ‘*seat of learning*,’ enjoyed their dinner and their bottle as few but fox-hunters can enjoy them, and then slept the sleep which few but fox-hunters can sleep. Of course in this, as in all societies, excesses would sometimes occur; and if some of the party occasionally slept in their boots, and sometimes

under their beds instead of on them, and on the following morning would sometimes (also by mistake) breakfast on champagne instead of soda water, they did not on that account follow the next fox-chase with less perseverance, or select and make their leaps with less courage and skill.

There was one man of the party to whom we would devote a few words in particular, partly because he was better known to us than most of the others, partly because we consider him a fair, perhaps we should rather say a favourable specimen of the class. He was the second son of a country gentleman, who usually kept about a dozen hunters for the use of himself and his three sons; so that he had been a fox-hunter from his childhood. He was reckoned one of the very best riders in England. But besides being a bold and skilful horseman, he had a peculiar faculty, a sort of instinct, of detecting at once the exact spot in an enclosure which was the best to leap; and that too, when going at full speed; so that when he entered a field, he proceeded in general straight up to it, whereas many horsemen are generally thrown out by trying two or three places before they leap. Thus, with his excellent riding, enabled him to take the lead in the hunting-field in whatever part of England he happened to hunt. And we have no doubt that, had it been his lot, he would have led his troop to battle with the same judgment and courage with which he led the hunting-field. It is probable that but for the peace, he and many of his friends would have gone into a cavalry regiment, though they always spoke of a 'marching regiment' with contempt, as those who can afford to ride are foolishly apt to do. He was much looked up to as well as liked by his companions, who constantly applied to him for advice, and deferred to his judgment on almost all occasions, making him the umpire in any disputes they might have among themselves. He was, like all men of good sense and courage, the very reverse of quarrelsome; but when he encountered men who were disposed to bully, he was quite capable of meeting them with their own weapons. No great friend to humane letters, his dislike and contempt of the profession extended to its professors, particularly to such of them as presented themselves to his eyes in the shape of college tutors, and indeed the reading-men (as they are called) of the University in general.

On Sunday it was his laudable custom to give a holiday to his horses and servants; and on that day he usually took a long walk instead of a ride. On such occasions he was invariably attended by a sagacious, but withal somewhat grin-looking bull-terrier, which entertained as great an aversion to cats as his master did to reading-men, or Commodore Trunnion did to attorneys. This animal was so fond of following his master, that he could

scarcely be prevented from accompanying him to interdicted places of resort, such as the college chapel; and when he went in to be examined for his degree, the dog, it was said, though we hardly credit the story, accompanied him surreptitiously, and was discovered by an attempt he made, after his kind, to answer a question in algebra, and to accompany his respected master across the *pous asinorum*.

The last time (now full ten years ago) we heard of our esteemed friend, he had gone, *en attendant* his living, to live at a curacy in — shire, with three hunters and a hack. But it is time to return to Mr. Monro, whose hard riding will now, we hope, appear less paradoxical and unnatural both to his readers and his critics. Probably he belonged at the University to a set such as that which boasted of our excellent friend, his noble hunters, and his grim-looking bull-terrier. At all events what has been said may serve to show that it is by no means incredible that an English parson should ride and endure fatigue as well as a Turkish courier—ay, and even show more bottom than Ali Aga the Tartar.

The first volume of Mr. Monro's work is chiefly devoted to Palestine, and being much taken up with biblical antiquities, the 'literal fulfilment of prophecy,' and such matters, rather than its present condition, is much less interesting to us than the second. Take the following as an example of what Mr. Monro means by the 'literal fulfilment of prophecy.'

'In meditating a journey through the confines of Edom, I had overlooked the prophetic denunciations against any who should traverse it, so literally and wonderfully enforced up to the present hour. "None shall pass through it for ever and ever."* "I will cut off from Mount Seir him that passeth out, and him that returneth."† The repeated and persevering attempts of travellers‡ to explore Idumæa have always proved abortive, except in two instances. Seetzen§ did "pass through," and died soon after at Aleppo: Burekhardt penetrated into it, but turned aside in dismay, and died soon after at Cairo.

'The lasting validity of these prophetic warnings has been powerfully vindicated in Keith's Evidence of Prophecy. With all submission to the writer in the Quarterly, I must incline to the literal acceptation of the prophecy respecting Edom, which seems to be thus far supported by the facts adduced in evidence, and to the opinion that none shall "pass through it for ever and ever," (except to their cost,) until the days come when the Gospel of peace shall have harmonized the whole earth, and the prophecy shall be finally completed that "Seir and Edom shall be a possession;" which Bishop Newton, following Onkelos the Chaldee paraphrast, interprets primarily of David, but ultimately of the Messiah.

'It is clear that any one who should presume to advance confidently

* Isaiah, xxxiv. 10.

† Irby and Mangles.

‡ Ezek. xxxv. 7.

§ Vide Sir F. Henniker's Travels.

an opinion upon such a subject, treads upon insecure ground; “*incedit per ignes suppositos cineri doloso*,” for at this very moment it may be assumed that M. de Laborde has passed through Edom, and lives to describe it; but before such a presumption can be allowed to confound a standing prophecy, the extent and limits of the interdicted territory must be defined, and these at present are little known. To have set foot in Idumæa and to have survived, does not contravene the letter of the inspired prohibition; the aim of which seems to be, that whereas Edom was the highway for the conveyance of the costliest merchandise of the most wealthy countries upon earth, so utterly shall the besom of destruction wipe out all resemblance of its former self, that “none shall pass through it;” and woe be to any who shall traverse it as heretofore in defiance of the ban of Heaven.’

The prophecy, first *interprets* Mr. Monro, seems to mean that none shall ‘pass through it for ever and ever,’ (*except to their cost*;) and, secondly, when it appears that one traveller has passed through it, and lives to describe it, Mr. Monro coolly asserts that ‘to have set foot in Idumæa, and to have survived, does not contravene the letter of the inspired prohibition.’ According to this mode of interpreting prophecy, we may all prophesy; and some of Mr. Edward Irving’s disciples will give Mr. Monro prophecies to expound by the dozen.

Mr. Monro’s journal commences at Cairo (March 1833) with some reflections on the advantage of possessing a good servant—an advantage, however, rarely to be met with in that quarter of the globe, at least if the following proposition be a true one.* ‘It is a proposition universally received, that all Arabs are lazy, false, and dishonest; so that when prepared for the worst, it is a relief should one be found less endowed than you expect with the *propria* of his species.’—(vol. i. p. 2.) In this state of matters a certain Pole is recommended to our traveller as a servant, with the ‘*character*,’ however, of being a ‘very bad character, and extremely lazy.’ This man wishing to travel rather as companion than servant, Mr. Monro declined taking him. He had been recommended by one Godoloski, a Pole, who occupied a shop about nine feet square, in the Frank quarter at Cairo, where he practised as chemist, perfumer, and physician, after having visited almost every country on the face of the earth. The remarkable point in his history is, (in which at least, according to Dr. Johnson, he differs much from the generality of Scotchmen,) that of all the countries he had visited he seems to have preferred Scotland; his dearest wish, when Mr. Monro met with him, being to return to Scotland,

* However, that it is not universally true, Mr. Monro affirms himself, unless he means to distinguish the Bedouins from the Arabs in general: a few pages on, he says, (p. 17,) ‘It is by no means the case that the Bedouins are all slow, vexatious, and false.’

marry a Scotch woman, and breakfast on oat-cake and milk porridge, the recollection of which fare made him even then rub his hands with delight. Upon Mr. Monro's declining the first man recommended, 'Then,' said Godoloski,—

"I have it; I know ze man for you, God bless you, sir, ze first cook in all Cairo—talks all language. God bless you, sir, when I serve a gentleman, I serve him. I tell you, sir, ze honestest man in all Cairo; but if he get ze bottle, he be drunk, always drunk. A very honest man! ze d—— rogue, he pass my botick all day: I not see him now, z'very curioso. He ze man for you, sir;—I tell you, sir, in ze desert c'est impossible he not find aqua vita. Ah, ze rogue, he come now. Shoof enti! (look you!—calling to him,) un signore veut parler con vous."

This man not being the sort of person wanted, Osman Effendi called to a young Arab, who was passing, whereupon Godoloski grew furious. 'I tell you, sir, dat man is ze finest tief in all Cairo; when I serve a gentleman, I serve him. If you take dat man, he is ze first tief.' In this emergency the Pole again petitioned to be taken on the most mumble terms, and Mr. Monro acceded.

With the purpose of visiting Mount Sinai, Mr. Monro had engaged four dromedaries of Hamet el Rasheidi, (Hamet the Just,) a sheikh of one of the five tribes who constitute the Bedouins of Tor. Hamet the Just was not long in exhibiting a sample of his 'justice,' which, it must be owned, somewhat resembled what goes by that name in some of the courts of the temple of the goddess Astræa herself. The first day of their journey they had scarcely started when the sheikh left them, and soon after the attendants halted and began to unload the dromedaries, informing Mr. Monro that they must remain there till the sheikh's arrival. Hereupon Mr. Monro remarks that 'patience is not equally dispensed to all;' and certainly, as will be seen by and by, his portion does not appear to be a large one. He compelled the men to reload, and, returning to his lodging, detained the best animal, and sent the sheikh's slave in search of his master. Upon his appearance he told some lie to account for his absence; but, upon his promising to cause no more delays, Mr. Monro started with him again on the following day. They had not gone far, however, when some pretext was made for unloading the best dromedary, and Mr. Monro soon discovered that his own powerful sumpter dromedary had been taken away and another substituted, so small and weak as to be totally unfit for the journey; and this it was said would *do well enough* for him.

'The numberless vexatious incidents which were likely to arise from this man's want of faith determined me immediately to dismiss him, and instead of visiting Mount Sinai, to reach Jerusalem by the usual

route, if possible, before the Greek feast of Easter. Up to this moment,' he continues, 'I had scrupulously forbore to lay hands on "Hamet the Just," notwithstanding repeated provocations; reflecting that when among his tribe I should be completely at his mercy, and any severity toward him might be visited upon me with interest. The privilege of redressing grievances by the summary process of manual chastisement is one conceded by the Pacha to all sufferers of certain rank; and though painful to feelings inhibited by European education, it is absolutely indispensable for the progress of the traveller in a country where all other arguments are unavailing.'—vol. i. p. 14.

Mr. Monro confirms this opinion by the apagogic demonstration—by stating the evil consequences of an opposite line of conduct. His opinion is farther confirmed by the testimony of Dr. Hogg.—(vol. i. p. 218.) Mr. Monro goes on to relate that having prevailed on his dromedary to kneel down, he dismounted, and falling upon the shoulders and turban of the sheikh with a long palm-stick, he endeavoured to mortify his pride without subjecting him to any bodily suffering. 'He was,' says Mr. Monro, 'more gaily attired than usual, in a crimson robe and turban; and to add to the bitterness of being thus disgraced by a *Christian dog*, the soldiers of the guard were looking on, besides others of his friends, who had saluted him with great respect as we passed out of the gate.' Mr. Monro then prepared to take him before the governor, upon which he immediately offered to repay all the money that had been advanced to him, (though he had before solemnly protested that he had spent it,) and not undertake the journey, and he produced the full sum in gold. Mr. Monro, thinking it for the advantage of other travellers that such an offender should be legally punished, was informed that the governor would not interfere with him, as the Pacha feared his tribe, who were held rather as allies than subjects, and that no harsh measures were ever used towards them. Mr. Monro here was somewhat unreasonable. He had got his money, and given Hamet 'the Just' a sound beating. What more would he have? If he had spent ten years and £10,000 in the Court of Chancery he would not have had one-tenth part of the 'satisfaction.' As 'the Just' man appeared to take kindly to the dose of palm-stick, and gave him *all* his money, he surely had his law cheap enough. He is wrong in supposing that he should take the law into his own hands, and have it 'legally' besides.

Mr. Monro then rode down to Boulac, upon the bank of the Nile, engaged a kangia for Damietta, and in two hours was under weigh. The wind having become violent and contrary, the reis (captain) gave orders to anchor, saying that 'we must wait until it pleased God to do something for us.' Our traveller, however,

not being in a waiting humour, was obliged, he says, to resort to severity, when the boat was tracked with little labour.

Among the aptitudes which Mr. Monro possesses for a traveller in the East, there is one quality, which we think must be considered such, not possessed by him—we mean a moderate love of smoking tobacco. ‘I hate the weed,’ he informs us, ‘and always will.’ And certainly he appears to have some reason to call the ‘practice of sucking smoke through a cherry-stick, where 500 mouths have sucked before you,’ a ‘detestable’ one. But, this consideration apart, the facilities of obtaining information and an insight into character are often greatly increased by being able to smoke. We have heard an acquaintance of ours who, in addition to more than common intellectual advantages in his intercourse with mankind, possesses the great physical advantage of having the appearance of being, instead of a very astute, a dull and very simple fellow, affirm that he has often lost valuable opportunities of studying character and acquiring information in consequence of not being able to smoke, inasmuch as the act of smoking together was apt to throw men off their guard as towards another between whom and themselves there existed at least one bond of sympathy.

But Mr. Monro had sometimes more reason than his dislike of the weed to be dissatisfied with smoking. For instance, on one occasion (at the British Consul’s at Damietta) when he was anxiously looking out for his supper, to which the Consul had invited him, ‘the long black Janissary, the Turk’s attendant, and my Pole came forward, each sucking at the cherry-stick, which he was about to present to his master, and waving it up and down through the air, that the whole bowl of tobacco being bodily on fire, the full volume of smoke might roll down the throat, and pass out of the nose and ears with as little exertion to the smoker as possible.’—(vol. i. p. 30.) Mr. Monro gives the following account of the conversation that took place on the same occasion:—

‘England and her vast resources was a favourite topic with Suroor, who produced a printed statement of the population, armed force, revenue, &c. of all the civilized countries of the globe, in which the population of England and her dependencies was rated at one-third of the whole. The Pacha’s armed force was stated at thirty thousand men, two men-of-war, five frigates, and sixteen gun-brigs. His Highness has lately printed his own estimate at one hundred and ninety thousand. It may be fixed at eighty thousand effective troops, forty-five thousand of which were engaged in the Syrian campaign. Among other things, the Consul described to the Turk our steam carriages, which, he said, travelled at *forty-five* miles an hour, calling upon me to vouch for his

veracity; and, upon my hesitating, he exclaimed, "Oh, yes, I know it is so; for I have read it in the newspapers."

'With the pipes a tray had been brought in, upon which was a stand containing three bottles of rakkec* with small glasses, almonds, and walnuts. The Consul said he never drank anything himself, but some people liked a "sip"† before supper, to prepare their stomachs. The Greek was deputed arbiter of the grog; and, notwithstanding his habitual sobriety, the Consul drank his glass. Having done the same, I was immediately presented by the host with a small handful of broken walnuts, which I attempted to evade; for the hand which did not hold his pipe, usually grasped his toes: an employment very natural in the cross-legged position which the divan requires, and very frequently practised. I need scarcely mention that stockings are dispensed with in the East, and shoes are always taken off previously to reclining: a thin yellow slipper is sometimes worn, but it is by no means general.'—vol. i. pp. 31—33.

The party (all except Mr. Monro) ended by getting very drunk, and then supper was served. Mr. Monro says that the Turks are much addicted to drinking, and to show that this is not with them a modern innovation, he quotes the following passage from Busbequius:—

'You must know that it is a great crime in Turkey to drink wine, but seeing they expect no less punishment after death for drinking a little wine than if they drank never so much, when once they have tasted of that liquor they go on to drink more: for, having once incurred the penalty of their law, now they think they may sin gratis, and account drunkenness as a matter of gain. I saw an old man at Constantinople, who, after he had taken a cup of wine in his hand to drink, used first to make a hideous noise. I asked his friends why he did so: they answered me, that by this outcry he did, as it were, warn his soul to retire into some secret corner of his body, or else wholly to migrate and pass out of it, that she might not be guilty of that sin which he was about to commit, nor be deluded with the wine that he was to guzzle down.'‡—vol. i. p. 35.

Mr. Monro proceeds by sea to Acre, encountering, with his usual intrepidity, some 'perils of the deep' on the voyage. Hence he proceeded to Caiffa, transporting his baggage on an animal which the proprietor, a ragged German, assured him in broken English was a 'berry goot jackass.' Having paid a visit to Mount Carmel, he procured at Caiffa two horses and an ass to take him to Jerusalem. The ass, he says, was the finest animal of the kind he ever saw, and the guide confessed that he would sell for more than both his own horses. With all the animation

* 'A spirit which, in Egypt, is expressed from dates, and saturated with absinth or anise, and eminently nauseous.

† 'Una bocca.'

‡ Busbequius, done into English by Mr. Warr.

and temper of a horse, he had the superior qualification of being quicker and easier in his walk. He might probably have had as good a chance of passing the 'asses' bridge' as our old friend the bull-terrier mentioned above.

At Tantoura they went immediately to the post-house, as the only place where they could sleep secure against robbery. The master was a Turk, who, by way of warning them of the danger of the road they were about to travel, said the post had been robbed two days before, and that thirty Turks had been stopped by the Bedouins not long since; all which Mr. Monro believed to be untrue. This post-master, a lover of round numbers, supposed the ruins at Atlbet to have been built by giants 30,000 years since, and said that the whole village was undermined with caverns. One occasion here occurred of displaying an advantage not before mentioned possessed by the ass over the horses. As they were chatting round the fire, the alto notes of the ass were heard at some distance; upon which the guide sprang up and rushed out, exclaiming that the animal was stolen. He was thus, after some time, recovered.

We here extract an account of the Xans (as Mr. Monro chooses to spell the *Khans*) of Syria, followed by further particulars of the habits and dispositions of the ass aforesaid. At this place Mr. Monro subjoins a note on the orthography of Arabic words, which, along with the evidence that appears throughout his pages, convinces us that though he may resemble our friend spoken of in the beginning of this article in his hard riding, he does not at all in distaste for intellectual pursuits. On the contrary, along with a fair degree of classical scholarship, he shows an acquaintance with most of the modern European languages. He knows a little Arabic, and as the reader will find presently, he takes at Aleppo a tutor in Turkish.

'The Okellias of Egypt, and the Xans* of Syria, vary greatly in the

* In the orthography of Arabic words in which a guttural sound occurs, I have used the Spanish *x*, where the structure of the word admits it, because I know no other letter in any European language that has a similar sound; neither is there any combination of letters that will produce it. The *c*, as used by the *bassi* at Florence, is not unlike it: but the modern Greek *χ* is perhaps still nearer. Nevertheless, the latter is not *guttural*: the tongue is placed in the same position as for a guttural enunciation, but the sound is struck from the roof of the mouth. The Greek *χ* is the most pleasing aspirate in any language, and the most difficult letter to master, by reason of its resembling a guttural, from which it is nevertheless distinct. In conformity with the above rule, *Xan* has its *χ* similarly sounded to that in the Spanish words *xabeque*, *xabon*. Various other readings are extant, as *khan*, *kane*, *kaun*, &c., none of which bear the remotest resemblance in sound to the Arabic word. As such words are subject to no established law, and every author follows his own ear or taste in the orthography of them, the liberty here taken needs no defence; it might, however, be justified upon the ground of kindred which exists between the Arabic and Spanish languages.

accommodation which they afford. In some the traveller finds nothing more than shelter, and, reposing under the same roof with his camels or horses, carries with him whatever comforts he may require, and thinks himself fortunate if his slumbers are not broken by importunate visitors during the night. Upon the grand Hadj routes from Constantinople and Bagdad to Mecca, the Xans are of a more costly kind, and furnished with chambers of different sizes, to suit the convenience of the parties who wish to occupy them. These, however, are entirely unprovided with furniture of any kind. The occupant throws down his mat, and upon it his mattress, or whatever else, he may use as a bed. Most of them have either a fountain or a well; in some instances I have seen a mosque attached. All contain a large depôt for the reception of merchandise, and in those to the northward may be counted as many as fourteen fireplaces; but in the interior of Asia Minor, on the Stamboul route, I have observed twice that number in one depôt. In the Xans in the open country nothing is paid for the accommodation; indeed, they have neither porter nor guardian within them. The traveller enters and takes possession of the best place he can find, and if his halt be at night, closes the great door, and upon the arrival of any new comer, makes due inquiry as to his business and condition before he opens it. But such buildings are intended for the reception of the great caravans which continually pass along these routes, both upon the Hadj expedition and when engaged in the transport of goods; and they have been at different times built by the governors of the various pachalics. In the considerable towns the Xans appear to be on a different footing; for I have always found them in the hands of a "custode," by whom the chamber I would occupy was duly unlocked, and to whom a small sum was paid upon departure for the use of it.

'My present hostel in the village of Marran was of the meanest order. Placed at one end of a large yard, it was arched over with stone, the front being to a great extent open to the air. It served also as a dormitory for cattle, and was as dirty and ill paved as a bad English cow-house. The remains of stone buildings on the other sides of the yard betokened that this had once been a Xan of some importance, and the presumption was supported by a large mosque still attached to it.

'The village consisted of about twenty buts and a few black tents, around which was a patch of arable ground, where the women were employed in husbandry. As we reached the place, a herd of small cattle, with sheep and goats, were returning from a stream in the valley, just time enough to supply us with milk, the only produce of the village. While rice and macaroni were in progress, I strolled out to see that the animals had not been forgotten, when I found the ass without food. Inquiring the cause, the guide said, "that he was so strong and good, he could work without eating." An irritable man would probably have bastinadoed the wretch severely: I simply compelled him to go and buy some beans of the villagers. Repeating my visit after supper, I found that the ass was not eating, and seemed out of spirits. The guide accounted for this by saying that he was in the habit of living in the house with his master, and that he was alarmed at being left in the dark.

by himself: whereupon I ordered him into the shed, and his supper being placed near the fire, he fell upon it with great avidity; and had no sooner finished, than he claimed a right to belong to the society, by lying down among us, to my great amusement, and the infinite chagrin of my companions, who would have turned him out but for my interference. During the night he became restless, and got up in order to lie down on his other side; in doing which he interfered with the guide's legs, whom I heard abusing him for a *pig* and an *infidel*, and threatening to "spit on his beard."—vol. i. pp. 82—86.

When Mr. Monro says in the above passage that 'an irritable man would probably have bastinadoed the wretch severely,' he ought to have recollected that a very short time before, (see p. 79.) besides frightening the poor fellow very much, he had given him 'a poke in the ribs with his gun.'

Of Jerusalem Mr. Monro enters into a somewhat minute account, but much of this is conjecture as to the site of former buildings. There are few of the monuments of gone-by ages on the exact locality of which antiquarians are so sure as Mr. Monro's cicerone appears to have been in the following instance:—

'Entering the Bethlehem gate, and turning to the left, in a small wheat-field is an oblong pit, twenty feet deep, and lined coarsely with small stones, which some days afterwards my cicerone informed me was the place where Bathsheba had bathed. "And where," said I, "was David?" "*Ecco la finestra*," answered my attendant, with the utmost gravity, pointing at the same time to a small iron grating in one of the square towers near the gate.'—vol. i. p. 107.

This same intelligent youth afterwards pointed out to Mr. Monro a house which he said had been inhabited by Napoleon. Upon being asked when Napoleon had been there, he replied 'In the time of our Lord.'

Having witnessed the ceremony, or whatever it may be called, of the Holy Fire, our traveller accompanies the procession of pilgrims to the Jordan. He gives the following graphic account of the baptismal operation in 'Jordan's sacred stream.'

'The sun was rising over the tops of Abarim, and the river bank presented one of the most *unprejudiced* scenes which it has ever been my lot to witness. The main body of the pilgrims had arrived, and a general undressing commenced. There were men of all sizes and seasons, from the tottering octogenarian to the crawling bambino, who, being immersed with its head back and its mouth open, filled and bubbled like a bottle: ladies of all ages and angles, colours and calibres, from the Caireen Copt to the fair-skinned Russian. Of the men, some crept cautiously in, and reflected a moment before they went under; others leaped spinning in like wheels, and returning to the land repeated again and again the same performance. Of the lovelier creatures, some bounced dauntless in, and holding fast between two men, were well

ducked, and came smiling out again; others "went delicately,"* and standing ankle-deep in mud upon the brink were baptized with basins full of the sacred stream. Nor was it enough that their bodies were consecrated—all their clothes were plunged, and they drank the unconscious element, not each out of his own hands, but out of those of a fellow-pilgrim, the two palms being joined together to form a cavity for the liquid; while bottles of every form and metal were filled for distant markets.

'Close to the scene of the hallowing rite was a tamarisk-tree, which, bending over the water and brushing the surface with its trunk, headed back the current where it was running with the greatest velocity. Many of the votaries being carried with violence against it, came up on the other side, and if they had sufficient strength to hold on by the branches, they escaped a similar encounter from another tree that overhung the stream five yards lower down. We observed one man likely to be carried in the above direction, but, retaining his presence of mind, he struck into the mid-stream, and swimming down like an arrow, landed upon a shelving gravelly bank, a quarter of a mile below. Soon after, a Russian, either unable to swim or unprepared to resist the torrent, was dashed against the tree, and rising on the other side attempted to hold fast by the branches, but was carried against the second, and passing under it appeared no more, every one supposing that he was lost. He was afterwards thrown on shore below, exhausted but not dead. Immediately after him another followed in the same direction, and was drowned. This man had a very dark complexion, and it was at first asserted that he came from the interior of the desert, where never having seen a river he had no idea of the power of water. But the pilgrims afterwards mustering, and finding none of their party missing, concluded that he must have been a Mohammedan, who had met his just reward for defiling their ceremony.'—vol. i. pp. 140—143.

Mr. Monro becomes violently enamoured of a beautiful Arab mare belonging to one of their guards. His graphic and spirited description of her might almost vie with one of Edwin Landseer's sketches of the four-footed species.

'One of these Arabs, a ragged ruffian, was mounted on a white mare of great beauty. Her large fiery eye gleamed from the edge of an open forehead, and her exquisite little head was finished with a full pouting lip and expanding nostril. Her ribs, thighs, and shoulders, were models of *make*, with more bone than commonly belongs to the Syrian Arab; and her stately step received additional dignity from that aristocratic *set on* and carriage of the tail† which is the infallible indication of good family. I had been making eyes at her all day, but it was not until the

* 'Αβας σφισαν, Æsch. Agam.'

† In another place (vol. i. p. 301) Mr. M. describes the singular *cut* of the tail which is in general use among the Syrian Arabs. 'The tail is squared, of the same length with an English racing tail; while a few hairs are left hanging down eighteen inches long in the centre: whether this whip may be kept for the purpose of annoying the flies I cannot tell.' Most probably, and a useful precaution in a warm climate.

shades of evening began to overspread the earth that I became deeply enamoured. She went unshod, at full speed, across the stony ground without the least concern;

“Not lighter doth the swallow skim.”

Camilla herself would have cut her feet to pieces, had she carried only a feather; whereas the mare carried twelve stone.

‘Having inquired her price, I offered the sum; whereupon the dragoon asked one-third more. After much bating and debating, I acceded, and he immediately stepped back in the same proportion as before. This is invariably the practice with the Arabs. It has happened to me repeatedly in hiring horses, that if the terms have been agreed to without two days being occupied in the treaty, they imagine more might have been obtained, fly from the bargain, and increase their demand. I therefore discontinued my attempts to deal. The Arab said he loved his mare better than his own soul; that money was of no use to him, but that when mounted upon her he felt as rich as the Pacha. Shoes and stockings he had none; and the net value of his dress and accoutrements might be calculated at something under seventeen pence sterling.’—vol. i. pp. 163, 164.

He does not in the end become possessed of Mrs. Jordan, (so he names the mare,) for, on making inquiries as to her age and parentage, he receives information almost as painful as when a lover hears something of his mistress that compels him to discard her from his affections. He says ‘It would be difficult to inflict a more severe stroke than I experienced upon being told that he (the Turk of whom he inquired) had known her in constant work for the last fifteen years!’ Alas! Mr. Monro might aggravate his choler; and exclaim with Pistol—

° Shall packhorses,
And hollow pamper’d jades of Asia,
Which cannot go but thirty miles a-day,
Compare with Cæsars, and with Cannibals,
And Trojan Greeks?

One would think that Ancient Pistol, or the writer of the above lines (whether G. Peel or *quisquis fuit ille Deorum*), had been jockeyed by a Bedouin horse-dealer.

Another horse was offered to him, one of the great virtues of which, according to his Arab master, was that under his protection any one could lie down to sleep in the desert with perfect security; for, if the Bedouins should approach, and the horse should fail to wake him in time for escape by biting his shoulder, he would pick him up in his mouth and gallop away.

The anecdote in the following extract, which Mr. Monro gives as a note to the story last mentioned, is doubly characteristic of the Arabs; characteristic, to wit, of their habit of lying and the importance they attach to their horses.

'Anecdotes of equine fondness are great favourites with the Arabs, and some of them very *funny*. Several were related to me at Tripoli, one of which came within the "own knowledge" of the narrator. "An officer, who had gone round to collect the taxes for the governor of Hammah, was attacked and slain by banditti as he was returning. His favourite mare, *knowing that he had a large sum of money about him*, fought over his body for some days, and would not have been vanquished at last but that she died of starvation." I have translated *verbatim* what was told me by one who either really believed what he said, or had "a better had habit of" lying than is commonly met with in the world."—vol. i. p. 165, *note*.

Mr. Monro gives the following account of the 'Flying Stone':—

'This stone fell from heaven in the time of Solomon, and when Mohammed took flight it wished to go back with him, and stuck to his foot; but the prophet, being overloaded, shook it off, and, no doubt, would rise more rapidly afterwards.'—vol. i. p. 179.

'The stone is coarse and nearly octagonal, about 20 feet in diameter upon the surface.'—*ibid*.

At Hebron Mr. Monro is pursued, hooted, and at last pelted with stones, by a body of fanatical Arabs whose displeasure was roused by his European dress, especially his hat. However, before we launch out against the 'circumcised dogs,' we should look at home: we have seen a set of London blackguards go very nearly as far in insulting a poor black. He pointed his gun at them, but, as he did not fire, this produced no effect. 'My only alternative, therefore,' he adds, 'was to walk quietly forward, occasionally smiling at them with that placid expression which a man is capable of who affects indifference when he is bubbling with fury.' Among such a people we need not be surprised at being told that Job was master of the horse to king Solomon, and that Alexander the Great was general of his army.—vol. i. p. 211.

The soil about Hebron is of superior quality, and *red*; and the word Adam signifying 'red earth,' it has been maintained by some of the learned that Adam was formed of the soil of Hebron.

On the 1st of May Mr. Monro left Jerusalem at the same time with a small detachment of cavalry, who were passing out to levy contributions upon the neighbouring villages.

'The rate is raised,' says Mr. Monro, 'in the form of a poll-tax, without any consideration for the property of the payer; and upon the Pacha's claim no drawback is allowed for expenses, so that the secretary who conducts the proceedings pays himself by adding to the original demand, and detaining the surplus; the soldiers receive no other remuneration than what they can glean by the same means; and the sheikh of each village, who is the actual collector, never loses so favourable an opportunity of doing something for himself in the way of robbery; and the unhappy poor are thus compelled to pay double the just govern-

ment tax, while no one is called to account for the abuse.'—vol. i. p. 264.

In another place (vol. ii. p. 34) he describes the establishment of a sort of *corvée*, by which the villagers were compelled to carry trees a six hours' journey across the mountains, and that too upon their shoulders, their horses and mules having been taken from them. The Pacha has also seized upon all mills, factories, and produce, throughout his dominions, 'to the great injury of commerce and the ruin of the merchants.'—vol. i. p. 27.

The testimony of Mr. Monro, fully corroborated by that of Dr. Hogg, shows the policy of the Pacha towards his subjects to be that of an ignorant and cruel barbarian. However, if ever so little less so than that which preceded it, it is to be preferred: and he certainly does appear to have beaten his surly and fanatical Syrian lieges into somewhat more civility towards strangers. Indeed, it is in this that his liberality and wisdom seem to be chiefly shown. If a traveller is robbed in the Pacha's dominions, the amount of his lost property is restored *at his own valuation*, and the district in which the robbery occurs is made responsible.—Monro, vol. ii. p. 15.

The following extract shows that Mr. Monro has other delights besides sporting and hard riding. It ought to be noticed that 'Ahmet' is the assumed name of his servant, the Pole mentioned at the beginning of his journal.

'When we were upon the point of starting, Ahmet had prepared some fish for my *déjeuner*, called Abou Sookn, from the Lake of Tiberias. It had been simply fried in oil; and my loins being girt for the way, I seated myself upon the threshold of the Jew's door, and ate it from the pan, without any of the piquant aids that are commonly called in; and never was anything so delicate. What a host of recollections crowded down my throat with each delicious morsel! Richmond, thine eels! but they are laboured by science ere they attain perfection; and ye little Blackwall fry! fairest genius of the stream! ye too are embalmed in batter with a libation of lemon-juice; and thou, *turbot à la crème et aux gratins*! sublimest production of the *Rocher*! thou delightest by a borrowed savour. But thou, Abou Sookn, what shall I say of thee, "most rascally sweet" fish? Thou art unique!

No ketchup of fungus to deck thy corse,
Thou liest alone in thy glory!—vol. ii. p. 41, 42.

This proves that Mr. Monro would not be unworthy to have dined with 'the Original' Mr. Walker, and that he is preparing himself for the higher grades of his profession.

Damascus seems the *beau idéal* of an eastern city. It certainly approaches nearer to Mr. Moore's poetical descriptions of eastern scenery than most places in the East, which are apt

to present a much more burnt-up look than his fresh 'bowers of roses by Bendemeer's stream,' where the 'nightingale sings all the year long.' The prospect that opens upon the approaching traveller is peculiarly imposing. In that climate the very sight of a stream is a luxury. The plain in which Damascus is situated is watered by several streams, which produce every tint of vegetation, 'from the sombre leaden olive to the livelier hues of the apricot and the orange,' forming a strong contrast with the dreary waste around. The domes and minarets of the city tower above a rich forest of fruit trees which surpassed in size any that Mr. Monro had seen, except upon the banks of the Cydnus.

The rivers Abana and Pharpar, diverging into seven different streams, are conveyed, says Mr. Monro, through the city by numberless minor ducts, and supply each divan in every house with a fountain, as well as every public building. The places of amusement are by the waterside: the most frequented *café* is built upon piles in the middle of the Abana, near the 'Gate of Peace.' It is described by our traveller as of the meanest construction, and in a very crazy condition. He also speaks of a garden, not far from this gate, on the opposite side, furnished with two or three divans and abundance of roses and water, where the Turks occasionally give *déjeûners*. 'It is a place to wander in *not quite alone*,' says Mr. Monro: 'the fruit trees, prodigal of their growth, form a labyrinth that suits with the placid enjoyments of our pastoral hours.'—vol. ii. p. 66. Mr. Monro visited this garden on a *festa*, when numbers of Christians were assembled in their holiday attire. The women came veiled, but uncovered their faces immediately on entering, and kept apart from the men in small groups. The men smoked, drank wine, or ate lettuces; some amused themselves with leaping or the sword-dance. Mr. Monro describes the roses as very inferior to our damask rose, and less perfect in form, but the colour and odour are far more rich.

Conservative feeling is strong at Damascus. In 1832 Mohammed Selim, Pacha of Damascus, ordered the streets to be cleaned. It was considered to be a European innovation, and a rebellion ensued which cost the reforming Pacha his life.

Mr. Monro has almost as learned an eye and as enthusiastic an admiration for the Damascus women as for the Arab horses. We make a quotation on this subject, the interest of which may appear sufficient to excuse its length.

'The women of Damascus are small, but extremely beautiful, with hair of glossy black, fair complexions, and eyes whose brightness streams upon and dazzles the beholder, who, thus rendered defenceless, is exposed to an unerring shaft. Though sometimes black, their eyes

are more frequently of a deep blue; but not as in our northern regions, where the full dark eyes and raven locks of the brunette indicate a morbid pulse and frigid temperament; these, fixed by their genial sun, glow, and speak, and breathe of passion; and those inquiring looks, which among European belles seem to be a laboured science, in them are the coruscations of nature, gleaming, penetrating, and warming, like the fierce beams that dart from the cloudless sky in

“The climes of the East, and the land of the Sun;”

and then they have withal such laughing faces, that their life should seem to be perpetual May. But it is their supreme bliss never to have courted the “folly” of wisdom: with minds entirely uncultivated, they appear scarcely capable of understanding the plainest proposition; for the monk, when lamenting to me their lost and unintellectual condition, said that even compliments paid to their beauty were unintelligible to them; and these being the rudiments of knowledge in the “young ladies’ book,” it is to be supposed they know nothing.

‘In one house eight of these fair things were collected expecting our arrival, of which they had been previously apprized by the monk. When we entered the court we found them throwing water upon the pavement and each other; but on seeing us they desisted, and scampered away laughing to the harem. Padre Manoel went his way, and I strolled through the divans, of which there were three. In one of them a lovely girl about sixteen was sleeping out her siesta upon the cushions, with a Kashmere thrown over her. A balfe reposed upon the snowy breast where late it fed; and the infantine mother slept so sound, so softly, and so free from care, that it seemed unkindness to wake her to the world again: yet the deep azure of her eyes, shining through their transparent lids, excited so lively a curiosity to see them open, that I doubt if even Cymon’s nascent “good manners” would not have given way had such an Iphigenia slumbered in his path.

‘Having taken our seats in one of the divans, the whole party made their appearance. In their dresses plain and embroidered silk predominated, and seemed to form part of all that was external and visible. The trousers, very long and full, are worn close at the ankle; the bust low in front exposing the bosom, and over it is an embroidered robe in the manner of a surtout, with sleeves to the wrist, slashed and open from the elbow downwards. The turban is set rather on one side, festooned with strings of pearls, enriched with brooches of turquoise and emeralds. A Kashmere or Bagdad* scarf is wound loosely round the waist, and a little yellow slipper or a small white foot is seen below. I cannot like their painted toe-nails. Of these eight hours nearly all

* ‘These have a white ground, upon which pine-apples or bouquets of flowers are worked in straw-coloured silk: they are sixteen or seventeen feet long, and a yard wide. I bought the two richest that were to be met with in Damascus, which were afterwards *cut to pieces* in the *douane* at Vienna. Lempriere’s Dictionary and two volumes of Linnæus, being *suspected books*, were taken at the same time. The loss of the latter I was grieved at; for, having accompanied me in Sicily, Egypt, Palestine, and Greece, they contained several manuscript references to the “*habitat*” of different plants, which were interesting to myself, and could be of little value to the Emperor.’

were either married or betrothed, although the eldest was only seventeen. The prettiest of them was a spinster ripened by eleven summers, who, from her budding promise of maturity, might have passed in Europe for sixteen, though small of stature. She was not yet betrothed,—a circumstance unusual in that country, where *mothers* oftentimes tell fewer years than Lady Capulet.* As they entered, each kissed the holy father's hand; when some ran off to do the honours of the house, and the rest stayed to converse with us, which they did without reserve, laughing, and asking questions of the customary Oriental tenor. Pipes having been brought, soon after came water full of sugar, and then coffee, black and bitter, without any; sugar-plums, pastry, and, in conclusion, *rakke*.

In one house I was pressed to eat a substance resembling tow in colour and appearance, which seemed to be a *compote* of sugar, honey, flour, and eggs, and, I have little doubt, would have had the effect of *ipercacuanha*, if I had not been favoured with an opportunity of putting the greater part of my allowance in my pocket.

The time flew apace that we laughed away with these *bijoux*; and I inquired afterwards of my Mentor what had become of all the men of the family; to which he replied that “he had *ordered* them to be absent.” I do not mention this fact to draw any undue censure on the good friar individually, but to give some idea of the authority that is usurped, from which evil consequences *might* ensue.

Mr. C. Farren introduced me to a house said to be the most splendid in the Christian quarter, where we saw two girls, I believe daughters of the proprietor, who had faces of surpassing beauty. Their hair, of the blackest dye, fell down their backs to the waist, concealing their marble shoulders in its “hyacinthine flow:” their eyes, “large and languishingly” blue, something richer than the turquoise, something brighter than the “jewel of Gianschid,” lighted up complexions clear as ether; and the *vermeille* blossoms of the pomegranate would lose in comparison with the blushes that bloomed upon their cheeks.—vol. ii. pp. 76—81.

Of the architectural merit of the ruins at Balbec Mr. Monro entertains a very low opinion. He says, ‘Bigness without dignity, space without spaciousness, and gloominess without solemnity, are their most prominent characteristics.’

In crossing Mount Lebanon Mr. Monro visited the cedars, supposed to be the remains of the ancient forest which once clothed this mountain chain. Mr. Monro states the number of them at 360, and adds that 23 of the largest measure from 30 to 40 feet in girth.—vol. ii. p. 104.

At Latikia (Laodicea) he is asked by the daughter of the British vice-consul, an Arab of the Greek church, among other questions, where he had left his wife? When told that he had hitherto escaped so great a blessing, she inquired if he should

* ‘According to the Rabbis, the prescribed age of the wife to be married by the Jewish High Priest was between twelve years and one day and twelve years and a half.’—Selden, *Ux*, Heb. l. 2, c. 7.

like one from Syria: to which the courteous ecclesiastic replied, he should if he might hope to carry off the inquirer.

Mr. Monro doubts if there be in any country scenery which, 'for its magic and enchantment,' surpasses that of the ride from Laodicea to Antioch. Mr. Monro seldom let slip an opportunity of enlarging the Oriental ideas of European capacity for enduring fatigue. On the above route, upon halting at sunset, the muleteers announced their intention of starting again one hour after midnight, with a view, as Mr. Monro thought, 'to wear him out if possible,' for they disregarded his arguments that the fatigue would be too great for themselves and the mules. Accordingly, before two he struck his tent, upon which 'the sonorous slumbers of the muleteers were converted into tempestuous vociferations and vehement curses, protesting that they would not stir before daylight.' One of them then seated himself by the fire, while the other put on it a tree, as if calculating on some hours' respite. What then did our minister of the church militant? Let himself declare. 'Seizing the latter by the beard, I was about to smite him, but he prayed not to be smitten, and promised to load the mules.'—vol. ii. p. 136.

At Antioch the traveller is hospitably received by George Dib, the consul, of whose hospitality he gives the following account:—

'George Dib's bounty is as indiscriminate as it is ample. No one calls before eleven o'clock who is not asked to dine, and no one refuses, so that he rarely sits down with less than seven or eight persons; and the chief attendant, Dibo, (probably a patronymic,) never knows until the moment arrives how many sets of fingers are to be provided for. The arrangement of his table is remarkable. The table-cloth (not a common luxury in the East) is spread under the table, which is formed by a stool set upon its head, with its legs in the air, supporting a large pewter tray loaded with pilau, stews of meat and vegetables, fish (which from the Orontes is delicious, especially the eels), cucumber dressed in the European way, and sometimes a soup of rice. Wine is always at hand, and each guest is expected to drink two glasses of rakkee before the repast begins. The only aids in eating were wooden spoons, which were not without utility in the soup course. I observed, however, that some of the party ate it by sopping their bread.'—vol. ii. pp. 139, 140.

At the end of two days Mr. Monro, having completed his examination of Antioch, requested his host to order horses to take him forward, which George flatly refused to do, assuring him that no Englishman ever left his house in less than a week. Mr. Monro was therefore compelled against his inclination to remain two days longer.

At page 152 we have an instance of the grand effects of the Pacha's policy in a robber who has been converted into a putter-down of robbers, and who, says Mr. Monro, 'would gladly have

hailed the arrival of the Russians, or indeed any other power that he thought would leave him to himself, and liberate him from the obligations to honesty which the Pacha had imposed upon him, and by which his revenues were declining.'

At Adana Mr. Monro falls in with the Egyptian camp. The following circumstance, which he witnessed, shows that the state of discipline in Ibrahim's army is such as some European, and, as they would call themselves, civilized armies, have not attained to. A number of the soldiers had crowded round a defenceless old woman who was selling vegetables, and were labouring with all their Arabic to beat down her prices; yet, as she persisted in standing out for a few paras, the articles were relinquished without violence.

The picture of Ibrahim's service presented by Mr. Monro is not such as to tempt many more Europeans to engage in it. The pay, though nominally high, is very much in arrear, and the hardships and privations are extreme. The army seems to have suffered particularly from the cold of Mount Taurus. He met with an Italian officer who had crossed it four times with his regiment during the winter. In consequence, his joints had become so weak that he could with difficulty walk, and the drums of both ears were so much injured that complete deafness seemed likely to be the result. 'Like all other Europeans attached to the army,' adds the author, 'he expressed anxiety to leave the service.'—vol. ii. p. 186. Mr. Monro thinks the Egyptian cavalry the most perfect in the world, viewed with reference to the qualities of speed, strength, and endurance. In the following account of them, which we think important as well as interesting, he writes like a man who 'knows something of a horse.'

'The cavalry at this time were exempted from all duty, that the horses might recover their strength after the fatigues of the campaign; and they were rapidly improving upon the trefoil and clover brought in from the rich Aleian plain. Each regiment, consisting of six hundred and thirty-six men, and divided into six squadrons, has its first squadron of white horses, and the fourth of grey. But, from the predominant number of white horses that appeared in the pickets, the proportion of these must be greater than was stated; and as this is the prevalent colour among the Syrian Arabs, from whence the Pacha had recruited his cavalry, it is likely to have been the case. Reduced as they were to the lowest condition from hard duty and want of food, an opinion might more safely be formed of their merits; for their points not being overgrown by flesh, the eye was not deluded by that sleek fulness which frequently misleads the judgment, and makes morbid inanimate matter pass for strength. The British artillery horses are among the finest in any service: but even they would ill bear this sort of exposure; and if they were let down in condition there would not be that uniform mould

among them which is now seen. But a body of horse does not exist in Europe so perfect as the Egyptian cavalry, and to which may be so generally ascribed all the qualifications that constitute superiority in the animal, and gift him with speed, strength, and endurance. There were in the lines a few coarse heads, but without any other indication of low blood: and this defect may have arisen from family connexion with the Turcoman or Dongolah horse; for I have never seen an example of a sour or heavy head in a genuine Arab of any race.'—vol. ii. pp. 189, 190.

What a glorious thing it would have been for royalty and aristocracy if breed could have ensured the absence of 'sour and heavy' heads from among their produce as well as it does from among these Arab horses! Might they not then have ruled the nations to all time? And yet why should there be such a difference between the two sorts of animals? Man is a noble animal in some points, as well as the horse. We suspect that the man-breeders have not understood their craft so well as the Arab horse-breeders. And yet the former do sometimes succeed in propagating at least the physical qualities. In England the word 'thorough-bred' does not extend farther, but applied to an Arab horse, it includes all the moral and intellectual qualities of the race as well as the physical. The advocates of a 'noble and generous' aristocracy should look to this, and see if something cannot be done in these days, when the education of the human animal is so much *talked about*.

The following is a picture of a lady such as it would be difficult to meet with in any other quarter of the globe. The sketch is very characteristic of Mr. Monro's manner. He had said a few pages before of the Austrian consul, the husband of the lady in question, 'His sherbet was of citron, and good; his pipes and wife were handsome; the former long, the latter short—indeed, too short:—

'On the following day I paid a second visit to the Austrian consul. Madame his spouse crossed her breast prettily enough, and presented a pipe. Her hair fell in long thin plaits, enveloping the back; while her head was filleted with strings of pearls, and a large emerald hung upon the centre of her forehead. The richly-cut glass decanter of a sheesher stood upon the ground before her, from which she drew the smoke through a flexible tube or serpent of great length, covered with blue and silver thread neatly interwoven. The whiffs were periodically suspended as she turned up her long silken trousers, and pursued the fleas upon the calves of her legs, which had so little symmetry to recommend them, that I was surprised she should expose them, unless it really was to facilitate the *chasse*. This lady was very expert, and rarely failed of catching her game, which was executed upon the frame of the window. She inquired if I had found many of the little things

in Tarsus, and I assured her that I had. In the evening I attended her *soirée*, where were some Jewesses, and a young Christian widow, very pale and rather good-looking. But before they left the party their charms were concealed by so many shawls and silks that I marvelled they were not suffocated. The hostess challenged me to chess, and after the second or third move I began to reflect upon the next; when she told me it was not the custom in the East to hesitate, but to play off-hand. I did so, and was beaten in half an hour; and indeed I was not sorry to end a game in which I found little amusement.'—vol. ii. pp. 187, 188.

The Austrian consul tried to persuade Mr. Monro to proceed to Constantinople by sea, dwelling much on the casualties of a land journey at that moment when the people, fluctuating between their inclination toward the Sultan or the Pacha, were freed from the authority of both. But Mr. Monro said that he had travelled some thousand miles to see the *land*, and had it been his object to see the *sea*, he would have stayed at home, where there was a much bigger and better sea. Mr. Monro was right, and this is what makes the principal value of his book. It is a mistake to say that sailors who have seen a vast quantity of sea have seen the world. One hundred miles of sea may serve as a sample of the whole, with the exception of some allowance for the difference between the temperate and torrid zones.

At this place Mr. Monro, not being able to get his bills changed, is obliged to return to Beirout for that purpose, which he does by sea. Beirout, though standing on a rising ground, with Lebanon on one side and the sea on the other, with the surrounding country, too, dry and highly cultivated, yet suffers greatly from that mysterious scourge, *malaria*.

We cannot omit the following characteristic *morcean*, showing how soon Monsieur Jean Roshif makes his carnivorous propensities known and attended to in all parts of the globe:—

'Upon my inquiring about breakfast, mine host made a reply which deserves to be recorded for its more than ordinary sagacity: "The coffee, fruit, and eggs, sir, are ready, but not, *the kidneys*." This evinced an acquaintance with the English character in general, and with my own in particular, which surprised me exceedingly, and indeed did in some degree alarm me. It could scarcely be intuition; and I began to suspect that my skull exhibited some preposterous hump, some protuberant craniological conformation indicative of *kidneytiredness*, and I desired to be informed how he could possibly have learnt that I affected "*kidneys*," at that particular time of day. He told me that he had travelled with two Englishmen, and that they had daily breakfasted on kidneys or beefsteaks; and that some English travellers were led to remain a month in his house by the good fare which he set before them, and they followed the same rule. Whoever it was that initiated this Greek into the mystery of broiling a kidney is entitled to

the thanks of all Syrian travellers, besides having conferred a lasting benefit on the man himself, who thus wins the hearts of his guests, while they are induced to forego for a time the excitements of travelling for the more substantial benefits of breakfasting.'—vol. ii. pp. 204, 205.

From Beirout Mr. Monro proceeds by sea to Latikia, and thence he journeys to Aleppo. It was the season of harvest; and he mentions a custom of the Arabian peasants of detaching one from their party with an offering of the first-fruits of their labour, to solicit a trifling largess in return. A woman was commonly selected for this purpose; and Mr. Monro takes occasion here to remark on the modesty of demeanour which seemed to prevail in the women both of Egypt and Syria. He here also remarks a difference in the peasant Arab and the Bedouin, as regards the indulgence of thirst. The former would drink every quarter of an hour, if streams or springs occurred so often; the latter nothing during the day, and sparingly at evening. The vines of the district about Aleppo, which formerly produced wines so choice, says Mr. Monro, that the Persian monarchs drank no other, have been rooted up by Mohammedan prejudice.

Mr. Monro says the streets of Aleppo are wider, and the exterior walls of the houses better built, than those of any other Oriental town in the vicinity of the Mediterranean shores. He also remarks, that the house-tops have this peculiarity, that they are laid down flat with soil, which is well rolled, and a communication can be kept up with almost every part of the town without descending into the street.

We now approach by far the most curious part of Mr. Monro's adventures, his ride with one of the Tartar couriers, who perform the journey between Aleppo and Constantinople, 750 miles, in a space of time wonderfully short for one horseman,—an undertaking which Mr. Monro was assured by a Frenchman at Aleppo he would not survive, for that a friend of his, a '*much stouter*' man than Mr. Monro, had performed the journey and died two days after; and that one other European had accomplished it, but he caught a brain fever, of which he died within a month. We have heard of another case of a European accomplishing it, and that a remarkable one, though it is possible it may be the one here alluded to. We were informed by a gentleman who had been an attaché to the British embassy at Constantinople, that while he was there, a Cambridge professor, who was fond of antiquarian researches, came to Constantinople; and that, wishing to visit some parts of Syria, and being informed of the mode of travelling of the Tartar couriers, he expressed his intention of accompanying one of them, although, if our recollection is correct,

our informant said he had not been used to riding. We have had this account confirmed since by a gentleman who has travelled in Turkey, and who added, that he believed the professor died on his way home to England, partly, it might be, in consequence of his adventurous ride. But to return to our author. The Frenchman, finding him resolved, advised him on no account to omit carrying lemons, sugar, brandy, and rum, as punch was indispensable; and said that whatever he would want to eat must be put into a sack to hang at his saddle-bow, in order that he might dine without dismounting, as the Tartar would never stop for that purpose; 'an arrangement,' adds Mr. Monro, 'somewhat inconsistent with punch-making.' Mr. Monro was likewise informed that Ali Aga, the Tartar who had agreed to convey him to Stamboul for 1,000 piastres, could take him that distance in five days, if he could ride with him, and that he could sit seven days and nights on horse-back without sleeping.

Mr. Monro engaged a tutor to *cram* him with as much Turkish as would suffice for the journey, the Tartar speaking nothing else:—

'Having written in a small book sentences and expressions to suit every possible circumstance that was likely to occur, I wished to be equipped with a few terms of displeasure, in case the Tartar's conduct should not be *comme il faut*; and I begged to be enabled to call him a "dog, a pig, and an infidel." The two former my Mohammedan preceptor readily gave, and admitted the reasonableness and propriety of my request; the last he refused, upon the ground that, as a Christian, I could not with safety apply it to a Mussulman, however great the provocation. "Well," said I, "Caffir will do."—"Yes," said he, "but beware how you use it, or I would not answer for the consequences."'
—vol. ii. pp. 233, 234.

Mr. Monro visits a cat convent at Aleppo, of which he gives the following humorous description:—

'Having left an introductory letter at the Roman Catholic convent for the superior, who was asleep, I visited an institution of a similar description for cats—except that celibacy and sexual separation form no part of their statutes. It was near to the former, and the fights and flirtations of this feline community were a scandal in the eyes of the good Franciscans, who were said to consider the cats most lax in their discipline. They had amounted to five hundred, but the plague in the previous year had reduced their number to two hundred. This order was endowed by some pious Mussulman, and an old mosque with its court has been given up to their use. So liberal are the provisions of the endowment, that cats, whether of Mohammedan or Christian education, are equally entitled to admission: neither are the benefits confined to worn-out, or broken-down cats; but any one who has a favourite cat, or a cat that steals cream, or any dying person wishing to provide for a cat, sends it to this *hôtel*, where it is taken care of for life,

Many of them were basking upon their grassy divan in the court when I visited them, others had gone out to promenade upon the house-tops; and having deposited a small sum as "backsheesh," I took my leave, highly gratified at having witnessed so wise, pious, and useful an appropriation of property. There is an extensive manufactory of cat-gut in the suburbs of the city.

'The superstitious esteem lavished upon cats by Mohammedans is derived from the partiality of the Prophet for one of these creatures. They relate that it chanced, upon a day when he was sleeping, his cat kittened in the sleeve of his abbas, and, in order that his favourite might not be disturbed, he cut off the sleeve, and left her in possession of the bed she had chosen. Whether or not it be the Mussulman's creed that the whole species "cat" has imbibed some portion of the Prophet's powers, from the above individual having received a fragment of his garment, is not told; but no stretch of credulity is beyond the reach of a Turk.

'The prejudice against dogs, as unclean animals, is not less extravagant among these people than their silly fondness for cats. If a dog touch a Mohammedan after he has washed, he must wash again before he prays. In Egypt there is a sect called "Shaffi," who, if the shadow of a dog falls upon them, are obliged to wash; and if a dog touch their garment they cut out the piece.'—vol. ii. pp. 234—237.

We now come at once to the start upon that race in which the point was whether the Turkish Tartar or the English clergyman should show most bottom; and truly, as the result will show, the Church of England has no reason to be ashamed of the horsemanship and hardihood of her son, though one might rather imagine that he came of the blood of some of Cromwell's captains of dragoons, than of King Charles's bishops. The style of their respective accoutrements is an important point that must by no means be omitted. The contrast is striking between the Tartar's dress and his own, inasmuch as the object of the former was to *keep out*—of the latter to *let out* heat. He begins with the former:—

'His under vests, which were numerous and thick, were surmounted by a long robe or surtout of red cotton and silk, flowered and reaching to the ankles; while his legs were equipped with a pair of long flannel stockings many times double, and turned down over strong boots, to which the upper part of the stocking served as a top, being embroidered in the front with blue worsted. His waist was girded many times round with a broad sash of silk and cotton; and upon his head were three tarboushes over each other, bound with the Wahabee handkerchief, the fringe of which partially shaded his face and hung down upon his back and shoulders. A short-handled whip, with a long heavy thong, completed his appointments, for he was unarmed.

'A light sailor's jacket and trousers, elastic cotton shirt, and straw hat, constituted my own dress,—the most convenient and comfortable that can be adopted where exercise or heat is to be undergone. For

nocturnal protection I carried the capote which had been my constant companion for some time, and which, being fastened like a bear's skin across the saddle, served to mitigate its hardness and render my diurnal position more easy.

'Unlike the Turks and Arabs, the Tartar rides with a straight leg, and sits upright upon his saddle, which is long and convex, without the high back and front that render the confinement of a Turkish saddle painful even for a few hours. In the bridles of the country there is nothing peculiar, except the brittleness of their fabric, and the severity of the bit, which is provided with a large ring, falling from the port, and embracing the lower jaw like a curb.' London saddlers call this bit a *mameluke*; but it is in universal use throughout the East.

'Busbequius upon this subject would have been more intelligible if he had explained the nature of the Turkish bit, which at the present day is exactly what I have described, and certainly the severest existing. "The Turkish horses," he remarks, "run forward with a stiff and stretched-out neck, so that they cannot easily be stopped or hindered in their course but by fetching a large compass about, which in my judgment is the fault of the bridles they wear, which all over Turkey are of one make." At nine o'clock at night we left Aleppo with four horses; the Soulagee* leading that which carried the baggage, and the Tartar placing himself immediately behind to urge them forward with his whip.'—vol. ii. pp. 239—241.

Soon after starting, the night became dark and the road rocky, and the speed with which Mr. Monro had been threatened was reduced to a jog-trot. At the end of six hours they arrived at a village, where they expected to have fresh horses; none, however, being to be had, the same must take them on to Antioch, twelve hours farther: accordingly our author lay down near them, and, after two hours of refreshing sleep, they resumed their journey at five A.M. Soon after six P.M. they reached the house of George Dib, before mentioned. It was towards the hour, says Mr. Monro, when his bounteous heart overflows with hospitality, and his board with the best of everything. Accordingly our horseman, having eaten nothing since he left Aleppo, and only once during the day dismounted for a moment to drink at a spring by the way-side, regarded with no ordinary satisfaction the abundant supper laid out in the divan, upon which he and Ali 'dwelt long and leisurely,' the Tartar being always associated with the traveller upon such occasions.

Signor George Dib, for whom the Tartar had brought letters from Aleppo, being absent, they were compelled to wait his arrival at Antioch, and then he caused a further delay by having letters to prepare; so that they were detained two days at Antioch, and then they started with the baggage-horse greatly overloaded, by

* The mounted guide who leads the baggage-horses, and takes all back together.

reason of a *mere trifle* which the Tartar had agreed to carry to Constantinople for the said Dib,—an arrangement to which Mr. Monro, albeit, as the reader will have perceived long before this time, or we have followed his course to little purpose, none of the most flexible of mankind, was compelled to submit by the irresistible plea put in by George, of the hospitality with which he had treated Mr. Monro, and of his readiness to prove his friendship to him in the same manner again.

During this stage the parson rode off from the Tartar, and reached Scandaroon two hours before him. Here two horses only could be found. The baggage being laid upon one, our traveller rode the other, while the Tartar mounted a donkey, upon which, with his red coat and long whip, he could not have failed to make a somewhat picturesque figure. It was nearly dark when they reached the barrack of Mustuk Bey. Here they remained during the night, and next morning procured horses which were, however, to carry them only to the village, one hour beyond, where Mr. Monro had formerly prescribed a squirt and warm water for a deaf lady. He was not very anxious to hear how the remedy had worked, but they were taken to a house in a different part of the village, where they were detained three hours before fresh horses could be procured.

At Adana they were detained three days before they could procure horses. Mr. Monro describes with animation the change which the procuring those horses produced on his spirits:—

‘Never,’ he says, ‘did a few hours work a greater change in man’s life than the last had produced in mine. Oppressed with heat, wearied with idleness, mortified at wasting time, and condemned to waste it in the company of hostlers, no one consoling reflection came to my relief, except the assurance that any change must be for the better. But *now*, liberated from thralldom, advancing rapidly to new scenes by the most agreeable of all conveyances, freshened by the dews, and fanned by the breezes from the snowy tops of Taurus, I could imagine no greater delight than I felt. At eleven p.m. we had ascended the low ridge that runs along the southern foot of the great chain; and the horses being turned loose to forage for themselves, with their saddles on, we slept upon the ground for four hours.’—vol. ii. pp. 261, 262.

They continued to ascend during the day, amid scenery of Alpine grandeur, the highest peaks of the mountains glittering with snow, while on the sides the oak, the plane, and the mountain ash were grouped with the pine or cedar, and intermingled with shrubs of lower growth, the whole presenting innumerable tints. Towards evening they reached a village near the highest part of the pass, though far below the summit of the chain. At supper they were joined by two Greeks, which leads Mr. Monro to give us his opinion of that people:—

'As we were proceeding to supper, a Turk entered, with two Greeks in the Albanian dress, armed with guns and pistols. They were mean of stature and dirty in habit, differing not at all in appearance from the "Klephtes" of the Morea, and their occupation might have been similar. Laying aside their arms, they seated themselves upon the floor without ceremony in the supper circle, one on either side of me; and no man ever was more disagreeably supported. A Greek is always the most offensive barbarian, in whatever society he is found. Nimble of hand and inordinate of appetite, groping in the rice to the very foundation of the heap, they fished out the largest and choicest pieces of the roast kid, with fingers indescribably filthy; and then burying the same fingers knuckle-deep in the sour curds, they licked them to their primitive brown colour, to be again immersed in the snow-white mass: at the conclusion the whole party lay down to sleep upon their respective mats.'—vol. ii. pp. 264, 265.

On the northern side of Mount Taurus Mr. Monro felt the temperature materially colder. As they advanced, Ali Aga the Tartar seemed to increase his speed, despising all obstacles. His course is literally

'Over hill, over dale,
Through bush, through briar,
Over park, over pale,
Through flood, through fire.'

Take, for instance, the following as a specimen:—

'We were now at a considerable distance from the usual caravan route, which arrives at Eregli by way of Chikisla, farther to the north; and to avoid the delay of returning to it, Ali directed the Soulagee to make Eregli his point, keeping a straight line, without deviating for any impediments that might arise: an order which he obeyed implicitly. The succession of hills which we at first traversed were well wooded and perfectly trackless; nevertheless, the Tartar, pressing upon the three leading horses with his long whip, forced them forward at a rapid rate, regardless of the bushes and brambles that threatened to unseat the baggage or even ourselves.

'Upon emerging from this forest scenery, and pouring like a torrent down the side of a hill, the first variety of ground that occurred was a field of rye ear in full ear, five or six feet high. Increasing rather than slackening his pace when he neared it, the Tartar crossed it at speed, but with no Camilla-like step. The soil was wet from irrigation, and the mischief that must have been done by the intrusion of five loaded horses there was no time to calculate. A deep ravine with a rivulet skirted it beyond; but the whip still wheeling over the spirited animals, gave them no leisure to pick their way, for, crowding on each other, and sliding to the bottom, they were driven up the opposite bank without a moment's respite; and then dashing into a field of barley, with the same merciless pertinacity which had led us to take the shortest route across the rye, we continued through a tract of ripening corn till we found a path leading to Eregli.'—vol. ii. pp. 273, 274.

It was the constant practice of the Tartar to drink whenever a fountain issuing from the rocks, or proceeding from the melting snows, was of intense coldness; if not so, he would not even stop to taste it, (for from long experience he could tell by appearances,) but going forward reserved himself for a cooler draught. In the case of a stream, he would ride into it, and tying the leather drinking-cup to the end of his whip, drop it into the water, and draw it up full.

At Eregli, a considerable town of Karamania, while Mr. Monro was anxiously awaiting the success of Ali's mission, who had gone in search of horses,—

'A young girl smiled through the grated window of the chamber, and looking around as if to ascertain that she was unseen, entered the door, and ran hastily to the spot where I lay. A visit so unexpected surprised me, and its object I could not divine, more particularly as she had run the risk of suffering punishment if detected. Her purpose, however, proved to be one of pure compassion and kindness: for producing a small basket of cherries concealed in the folds of her dress, she turned them out upon the mat beside me, and disappeared as quickly as she had entered, without waiting to receive a reward, or even the thanks which she might reasonably look for.'—vol. ii. pp. 276, 277.

In passing the plains of Karamania, the heat, as the morning advanced, became excessive, and the horses showing symptoms of distress, they halted, lest by urging them too much they might not reach the end of the stage. While the horses cropped the sapless herbage, the riders thus employed themselves:—

'Ali lay down where he had dismounted, first taking off the bridle, and dismissing his horse with a stroke from his whip; and the Soulahee employed this leisure time in catching the creatures which frequented his person. At no great distance was a small lonely bush, which afforded just sufficient shade to preserve my head from being baked as I fell asleep under its protection, leaving the rest of my body to the full influence of the scorching rays.'—vol. ii. p. 279.

At Ismil, before their departure, a breakfast was prepared, of which, says Mr. Monro, 'clouted cream, sweet and very delicious, formed a part. Ali partook of it; and I mention this fact because it was the only occasion on which I saw an Oriental taste milk that had not been previously soured.'

Beyond Ismil, Mr. Monro noticed some birds, which he judged to be the same of which Busbequius says that they make a noise like a post-boy's horn, and that they are so strong and bold that the Turks believe the devils are afraid of them.

Upon the whole, throughout the route few stoppages appear to have taken place, except such as occurred from the dilatory manner of the persons employed in changing, or from the Tartar's

stopping at intervals to take coffee and smoke his *narghili* at the road-side Khans. Much time was lost in this way; nevertheless the last 400 miles, during which horses were in readiness at every station, were accomplished in four days, and might have been done, Mr. Monro adds, with great ease in less. Throughout, the English parson showed at least quite as much capability of living on air and riding without rest or sleep as the Tartar—we might say rather more, for Ali having the same recollection of good cheer associated with certain Khans, as an English stage-coachman may be supposed to have with that of certain hostleries, and not being in such a desperate hurry as Mr. Monro, was frequently desirous of stopping when the other would not hear of it:—

‘The Tartar generally commenced each stage at a slow pace, and increased his speed by degrees; but, in other respects he betrayed great want of judgment in the science of husbanding his horses; for he made no difference for any inequality in the ground, rattling up and down hill at the same rate that he would gallop over a flat: but perhaps his greatest error was that he never gave a pull until some one of the horses was exhausted past recovery, which frequently happened before the end of a stage, and much time was lost in shifting the burden of the beaten horse to another, when the former was turned loose; or we were obliged to pull to him, and regulate our pace by his.’—vol. ii. p. 287, 288.

The following farther illustrates their mode of proceeding, and the casualties attending it:—

‘One hour after leaving Konieh we were descending a hill at a smart gallop, when my horse fell upon his head, by which the crupper was broken, and the saddle shot forward, but it returned to its place at the next ascent. This accident caused me much inconvenience during the remainder of the journey.’—vol. ii. p. 288.*

And still farther, the gallop from Issim, up hill and down dale, through forests and over rocks, (which we question if the feats of any English fox-hunter could surpass, though some of them are in the habit of descending steep hills and ravines such as some of those among the wolds of Yorkshire, at, or very nearly at, a full gallop,) is too good to be omitted, particularly as it includes one or two other details:—

‘Left at four P.M. with five smart little Turcoman horses, and notwithstanding the immense ring which held the lower jaw of my nag, he made some rash attempts to get away; but his fire was effectually quenched before we parted company. This stage, through a broken but continued forest, crossed a succession of hills, and was performed at a gallop. At six o’clock we came upon an old Turkish seraglio or palace overlooking the village of Seide Xous, which lay hid under the hill below.

‘The descent, narrow and extremely steep, was scattered with loose masses of rock; yet *malgré* the jaded condition of the *baggir*,* Ali con-

* ‘Oriental term for “hacks.”’

tinued his course with uplifted whip, driving before him the Soulaḡee and his led horses at full speed, and it was not without some disagreeable anticipations that I followed him. My horse reeled as if every step would lay him upon his head; a catastrophe which nothing but carrying, and at the same time urging him, prevented.

'Among the five horses of which our cavalcade consisted since we left Adana, there frequently were not five shoes: indeed, the practice of shoeing is a deviation from the general habit of the country. A man unaccustomed to riding would perhaps see no peril in this deficiency, and a light-weight might disregard it; but as I rode something more than fourteen stone when mounted in a heavy Tartar's saddle, I confess that it cost one or two days' discipline before I ^{was} comfortably callous upon the brow of a precipitous and rugged descent.* I paid little heed to the colour of the rocks as I galloped down them to Seide Xous, which seems to correspond with the "Phrygia Synnas" of Martial† and Pliny, whence the purple-spotted marble was transported to Rome.'—vol. ii. pp. 297—299.

In starting one evening from a village where Mr. Monro opposed the Tartar's proposal to pass the night on the ground that he was wet through from the rain that had fallen all day, and that in that state exercise was preferable to sleep upon a mat or bare boards, one of the baggage-horses became intractable and ran off with his load; consequently they were obliged, as Mr. Monro expresses it, 'to await his pleasure:—

'The recollections of that night's rest are among the most unpleasant that I can recall during my journey to Constantinople. Wet from the summit of my head to the soles of my boots, the comfort of a dry floor was perhaps not duly appreciated as a substitute for a bed. The gaseous vapour exhaled from the steaming Tartars, and the smoke of their pipes, aided by the heat of a charcoal fire, made the atmosphere of the confined chamber almost insupportable; and the din which they kept up in talking over the events of their restless lives took away all chance of sleep, and drove me to such reflections as were most natural at the moment.'—vol. ii. pp. 301, 302.

Another instance of the disadvantages of not being a smoker.

We shall conclude our account of Mr. Monro's very interesting Ramble with an extract showing the use he made of the instructions of his Turkish tutor at Aleppo, and describing his gallop down Olympus:—

'Left Isnic at nine. Passing round the head of Lake Ascanius, whose narrow winding bed lies in the bosom of Olympus, the Tartar

* 'In Mr. St. John's popular work upon Egypt he has transcribed a note, in which it is remarked that broken knees are very prevalent among the horses of that country, and which, it appears to me, may be ascribed to the method of picketing them when very young. After passing Mount Taurus, where this practice ceases, I saw no broken knees; and in travelling afterwards from Constantinople to Belgrade with a Tartar, I made the same remark.'

† Ep. ix. 77.

continued at an unusually slow pace, although the track was good; and upon leaving the lake we ascended the mountains to a village and a large Xan, at which we halted for a few minutes. Here I expressed my displeasure at the tardy manner in which we had been travelling for the last three hours; when Ali became angry, and as the tones on either side grew higher, I was obliged to give utterance to the opprobrious terms with which my tutor at Aleppo had furnished me.*

'The Aga's temper did not mend upon this address, but it worked like magic upon his speed. The Soulagee was ordered to free the sumpter-horses from each other, and turn them loose; when the Tartar took into his own hands the task of driving them.† Their heads being at liberty, they were better able to extend themselves in galloping; and being known to each other, they kept together and followed the track to which they had been accustomed.

'We were about to descend the ridge of Olympus, at the summit of which we had arrived, and the party set off *at score*, the Tartar driving before him the loose horses, and the Soulagee and myself keeping our places as we best could. The descent was rocky; but Ali was too much blinded by the irritated state of his feelings to notice such an inconvenience: he had screwed himself up to the determination that I should have speed enough; and his riding was like that of a maniac, unconscious of the frail nature of his bones, and the jeopardy in which they were placed. It never was my fortune to cross a country where nerve was so requisite, and judgment so little available, as in *riding to the Tartar down the side of Olympus*.

'The mountain torrents, which, upon the little tracts of table-land, had formed themselves into wide streams, three feet in depth, were crossed at speed, and the cool copious sprinkling, thrown over us from head to foot, afforded a welcome mitigation to the heat of exercise under a July sun: but the horses beginning to fail, and Ali being overcome by thirst, we drew up on the bank of a river, and thus gave the Soulagee, who had fallen far behind, time to come up; and we then renewed our journey, in the same fashion, to the Gulf of Isnicmid,* where we hoisted sail in a large ferry-boat, and crossed the bay, leaving the town to the right.'—vol. ii. pp. 306—308.

Bx.

ART. VI.

POLITICAL AND SOCIAL CONDITION OF FRANCE.

FIRST ARTICLE.†

HAS France exercised a beneficial or a hurtful influence on the fortunes of the present generation of mankind? 'The future can alone answer the question. That her influence has been and is considerable, no one can doubt.

For half a century almost every nation of Europe has been

* Nicomedia.

† See note prefixed to the article on Victor Hugo, in the fourth number of the 'London Review.'

more or less acted upon by French revolutionary influences, but generally without any distinct perception of the fact. They have obeyed a common impulse, without being conscious of the force which gave it.

If we study the countries in the immediate neighbourhood of France, we discover many events, customs, and ideas which are easily traceable, either directly or indirectly, to the French Revolution. At the same time we cannot fail to perceive, that in the very same countries there exists great ignorance of the causes which produced and of the effects which followed that revolution, even in France itself. Never has a country exercised a greater power over, and at the same time remained so completely unknown to, its neighbours.

It appears to us that this remark is especially applicable to Great Britain.

During the twenty years in which profound peace has existed between Great Britain and France, they have derived many things from each other. Several customs have become common to the two nations, and many opinions have propagated themselves from one to the other. From the laws of England the French have drawn the principles of constitutional liberty, and the idea, previously unknown to them, of a government of law, as distinguished from one of arbitrary will; whilst certain of the democratic tastes which are to be met with in England, and of the principles of political and social equality which are there promulgated, seem to be of French origin. Nevertheless, such marked differences exist between the natural genius of the two nations, that in ceasing to be enemies they have not yet learnt to know each other: they have imitated without understanding one another.

The English, who literally cover the surface of France, and who daily traverse the country in all directions, are generally quite unacquainted with what is going on there. Admirable narrations are published in London, of what happens in the East and West Indies; the political and social condition of the antipodes is tolerably well known in England; but of the institutions of France the English have hardly even a superficial notion. They know still more imperfectly the ideas which have currency there, the prejudices which still exist, the changes which have been effected, or the old customs which still continue. They are ignorant of the division of parties, of the classification of the people, and the distinction of interests among them. Or if they have become acquainted with some of these matters, it is by mere hearsay: content with a half-knowledge, more misleading than complete ignorance, scarcely any one thinks of informing himself any further.

In the series of articles, of which the present is intended to be the first, we do not aim at setting forth the present state of France

in all its details, an entire book would hardly suffice for such an object. The sole end which the writer proposes to himself is to throw light upon some important points, the examination of which will easily lead reflecting minds to the knowledge of all the rest.

Here a preliminary difficulty presents itself.

The ideas and feelings of every age are connected with those of the age that preceded it, by invisible but almost omnipotent ties. One generation may anathematize the preceding generations, but it is far easier to combat than to avoid resembling them. It is impossible, therefore, to describe a nation at any given epoch, without stating what it was half a century before. This is especially necessary when the question relates to a people who, for the last fifty years, have been in an almost continual state of revolution. Foreigners who hear this people spoken of, and who have not followed with an attentive eye the successive transformations which it has experienced, only know that it has undergone great changes, but are ignorant what portions of its ancient state have been abandoned, and what have been preserved, in the midst of such prolonged vicissitudes.

It is proposed in this first article to give some explanation of the state of France previously to the great revolution of 1789, for want of which her present condition would be difficult to comprehend.

Towards the close of the ancient monarchy, the church of France presented a spectacle analogous in some respects to that which the established church of England offers at the present day.

Louis XIV., who had destroyed all powerful individual existences, and annihilated or humbled all corporate bodies, had left to the clergy alone the outward marks of independence. The clergy had preserved their annual assemblies, in which they taxed themselves; they possessed a considerable portion of the landed property of the kingdom; and they thrust themselves, in a thousand different ways, into the public administration. Without abandoning their adherence to the principal dogmas of the Roman Catholic church, the French clergy had nevertheless assumed a firm and almost a hostile attitude towards the papal throne.

In detaching the French priesthood from their spiritual chief, leaving them at the same time riches and power, Louis had merely followed the same despotic tendency which is perceptible in every act of his reign. He knew that he should ever be the master of the clergy, whose chiefs he himself chose; and he believed it to be his interest that the clergy should be strong, in order that they might aid him in ruling over the minds of the people, and that they might resist with him the encroachments of the popes.

The church of France, under Louis XIV., was both a political and a religious institution. In the interval between the death of this prince and the French revolution, the religious faith of the people having been gradually weakened, the priest and the people gradually became strangers to one another. This change was produced by causes which it would take too much time to enumerate. At the end of the eighteenth century the French clergy still possessed their vast wealth—still mixed themselves up in all the affairs of state ; but the spirit of the population was becoming everywhere estranged from them, and the church had now become much more a political than a religious institution.

It will perhaps be not without some difficulty that we shall convey to the English reader of the present day a clear conception of the old *noblesse* of France. The English language has no word which expresses exactly the old French idea of a *noblesse*. The word 'nobility' expresses more, the word 'gentry' less. Neither is the word 'aristocracy' one which can be applied to the case without explanation. By aristocracy, taking the word in its ordinary sense, is commonly understood the aggregate of the higher classes. The French *noblesse* was an aristocratic body, but we should be wrong in saying that it alone formed the aristocracy of the country, for by its side were to be found classes as enlightened, as wealthy, and almost as influential as itself. The French *noblesse*, therefore, was to aristocracy as it is understood in England, what the *species* is to the *genus* ; it formed a *caste*, and not the entire aristocracy. In this respect it resembled the *noblesse* of all the nations on the continent. Not that a man could not be made noble in France by the purchase of certain offices, or by the prince's will ; but the fact of being ennobled, though it removed him from the ranks of the *tiers-état*, did not, properly speaking, introduce him into those of the *noblesse*. The noble of recent date halted, as it were, on the confines of the two orders ; somewhat above the one, but below the other. He perceived afar the promised land which his posterity alone could enter. Birth, therefore, was in reality the only source whence the *noblesse* sprung. Men were born noble—they did not become so.

About 20,000 families* spread over the surface of the kingdom composed this great corporation. These families recognised among

* The labours of Messrs. Moheau and De la Michodière, and those of the celebrated Lavoisier, have shown that in 1791 the number of nobles only reached 83,000 individuals, of whom only 18,323 were capable of bearing arms. The *noblesse* at that time would have formed only about the three-hundredth part of the population of the kingdom. Notwithstanding the authority which the name of Lavoisier imparts to these calculations, we have some difficulty in believing in their perfect accuracy. It seems to us that the number of the nobles must have been greater. See *De la Richesse Territoriale du Royaume de France, par Lavoisier*, p. 10.

themselves a species of theoretic equality, founded on their common privilege of birth. 'I am,' said Henry IV., 'but the first nobleman in my kingdom.*' This expression is an indication of the spirit which still reigned among the French *noblesse* towards the close of the eighteenth century.† There existed, nevertheless, great differences of condition among the nobles. Some still possessed large landed estates, others had scarcely the means of subsistence in their paternal manor-house. Some passed the greater part of their time at court, others proudly cherished, at the extremity of their province, a hereditary obscurity. To some, custom opened the road to the highest dignities of the state, whilst others, after having attained the utmost limit of their hopes, a moderate rank in the army, returned peaceably to their homes, to quit them no more.

To depict faithfully, therefore, the order of the *noblesse*, it would have been necessary to resort to numerous classifications. The *noblesse d'épée* must have been distinguished from the *noblesse de robe*—the noble of the court from the noble of the provinces—the ancient from the modern *noblesse*. In this smaller society were almost as many shades and distinctions, as in the general society of which it was but a section. A certain community of spirit nevertheless existed among all the members of this great body. They agreed in obeying certain fixed rules, in governing themselves by certain invariable usages, and in holding some ideas which were common to them all.

The French *noblesse*, having originated, like all the other feudal aristocracies, in conquest, had, like them, and even in a still greater degree, enjoyed enormous privileges. It had monopolized almost all the intelligence and wealth of society. It had possessed all the land, and been master of the inhabitants.

But at the close of the eighteenth century the French *noblesse* presented but a shadow of its former self. It had lost its influence over both the prince and the people. The king still chose from its ranks the principal officers of government, but in this he rather followed instinctively an ancient custom, than recognized an acquired right. It was long since any nobles had existed who had power to excite the fears of the monarch, and extort from him a share in the government. Upon the people the influence of the *noblesse* was still less. Between a king and a body of nobles there is a natural affinity, which draws them, even unconsciously,

* 'Je ne suis que le premier gentilhomme de mon royaume.' A *gentilhomme* is a man whose family has been noble for at least two generations preceding himself.

† Of this the reader may convince himself by perusing the *cahiers* of the order of the *noblesse* (their instructions to their representatives) in 1789: he will there perceive that the equality of the nobles among themselves is continually laid down as a principle.

towards each other : but a union of the aristocracy and the people is not in the ordinary course of events ; only by sustained efforts can it be brought about and maintained.

In truth there are but two modes by which an aristocracy can maintain its influence over the people ; by governing them, or by uniting with them for the purpose of checking the Government. The nobles must either remain the people's masters, or must become their leaders.

The French *noblesse* was far from placing itself at the head of the other classes in resistance to the abuses of the royal power ; on the contrary, it was the kings who formerly united themselves, first with the people to struggle against the tyranny of the nobles, and afterwards with the nobles to maintain the people in obedience.

On the other hand, the *noblesse* had long ceased to take an active part in the details of government. The general government of the state was usually in the hands of nobles ; they commanded the armies, and filled the chief offices in the ministry and about the courts ; but they took no share in the detailed business of administration—in that part of the public business which comes into immediate contact with the people. Shut up in his château, unknown to the prince, a stranger to the surrounding population, the noble of France remained immovable in the midst of the daily movement of society. Around him were the king's officers, who administered justice, levied taxes, maintained order, and did whatever was done for the well-being or the guidance of the people. The irksomeness of their obscure leisure induced those nobles who still retained large estates to repair to Paris, and live at the court, the only place which could supply any aliment to their ambition. The lesser nobles, confined to the provinces by narrow circumstances, led an idle, useless, and restless existence. Those, therefore, of the nobles, who in default of political power might by their wealth have acquired some influence over the people, voluntarily withdrew themselves from them ; whilst those who were compelled to live among them, only displayed before their eyes the uselessness and inconvenience of an institution of which they were the only visible representatives.

In thus abandoning to others the details of the public administration, and aspiring only to the more important offices of the state, the French *noblesse* had shown that they were more attached to the semblance of power than to power itself. The effect which the central government produces on the interests of individuals, is remote and comparatively obscure. The foreign policy of the state, and its general system of laws, exercise chiefly an indirect, and often not very obvious, influence on the welfare of each citizen.

The local administration, on the other hand, meets them daily and hourly ; it incessantly touches them in their most sensitive points ; it operates upon every one of those smaller interests of which the great interest we take in life is made up ; it is the principal object both of the hopes and fears of the people at large ; it connects itself with them by a thousand invisible ties, which bind them, and draw them on, without their being aware. It is in governing the village that an aristocracy lays the foundation of the power which afterwards serves it to control the state.

Fortunately for the aristocracies which still exist, the power which seeks to destroy them knows almost as little as themselves the secret of their influence. For our part, were we plotting the destruction of some great aristocratic power firmly established in any country, our struggle would not be to drive its representatives from around the throne ; we should be in no haste to attack the aristocracy in its most dazzling privileges, nor should we begin by contesting even its great legislative functions ; we would endeavour to remove it to a distance from the dwelling of the poor—to deprive it of influence over the daily interests of the citizens. We would rather permit it to participate in making the general laws of the state, than to regulate the police of a single city. We should, with less regret, abandon to its control the direction of the greater affairs of society, than that of the smaller. Leaving to it all the more conspicuous marks of its grandeur, we would deprive it of the people's attachment, the true source of political power.

The French nobles had preserved a certain number of exclusive rights, which distinguished them from, and raised them above, the rest of the citizens ; but it was easy to discover that among the privileges of their fathers, the French *noblesse* had only retained those which make aristocracies hated, and not those which cause them to be respected or beloved.

The nobles enjoyed the exclusive right of furnishing officers to the army. This would doubtless have been an important privilege, if the nobles had preserved a certain degree of individual importance, or a powerful *esprit de corps*. But as they had no longer either the one or the other, they were in the army but what they were everywhere else, passive instruments in the hands of the monarch. To him alone they looked for advancement and favour, and, whether on the field of battle or at the court, to please him was their sole ambition. The privilege, therefore, which we have just mentioned, whilst it was advantageous to the pecuniary interests of noble families, was of no service to the *noblesse* as an order in the state. In an essentially warlike nation, where military glory has ever been considered as the most important of all

possessions, the privilege in question excited against those who enjoyed it violent hatred and implacable jealousy: instead of placing the soldiery at their disposal, it made the soldier the natural enemy of the noble.

The nobles were exempt from some of the taxes, and they levied from the inhabitants of their domains, under divers names, a great number of annual contributions. These rights did not increase to any great extent the wealth of the nobles, but they erected the order of nobility into an object of general hatred and envy.

The most dangerous of all privileges, to those who enjoy them, are pecuniary privileges. Every one can appreciate them at a glance, and sees clearly how much he is injured by them. The sums which they produce furnish an exact standard by which the unprivileged are able to measure the hatred which the privilege ought to excite. There are but a limited number of men who crave after honours, or who aspire to govern the state, but there are few who do not desire to be as rich as they can. Many persons care but little to know who rules over them, but there are none who are indifferent to what affects their private fortunes. The privileges, therefore, which confer pecuniary profit, are at once less valuable and more dangerous to the possessor than those which confer power. The French nobles, by preserving the former in preference to the latter, had maintained that feature of inequality of condition which is offensive, and renounced that which is serviceable. They oppressed and impoverished the people, but did not rule over them. They stood in the midst of the people as strangers favoured by the prince, rather than as their leaders and chiefs. Having nothing to bestow, they did not act upon the people's affections through their hopes; while, being limited in their exactions by certain rules, which in all cases were previously fixed, they excited hatred, but did not produce fear.

Independently of these lucrative privileges, the French *noblesse* had retained a vast number of purely honorary distinctions, such as titles, order of precedence in public, and the privilege of adopting a certain costume, and wearing certain arms. Some of these privileges they had formerly enjoyed as the natural adjuncts of their power—the others had arisen since the weakening of that power, and as a compensation for its loss; both were alike incapable of being of the slightest service, and might be productive of danger.

When once the reality of power has been abandoned, to wish to retain its semblance is to play a dangerous game. The outward aspect of vigour may sometimes sustain an enfeebled body, but more frequently serves to complete its downfall. Those who possess the appearance of power, without its substance, seem, to

the general eye, of sufficient consequence to be hated, while they are no longer capable of protecting themselves against the hatred they excite. Those, therefore, whose power is in its infancy, and those with whom it is in its decline, should rather shun all honorary privileges than seek them. It is only a power firmly established, and which has attained to maturity, that can safely permit itself the use of them.

All that we have said of laws and customs may be extended to opinions.

The modern nobles had abandoned most of the ideas of their ancestors, but there were still several of a very hurtful character to which they were obstinately attached. At the head of these must be placed the prejudice which interdicted to persons of noble birth the pursuits of commercial industry.

This prejudice had been generated during the middle ages, when the possession of the land and the government of its inhabitants were one and the same thing. In those ages the idea of landed property was identified with that of power and greatness: the idea of mere movable property, on the contrary, called up the idea of inferiority and weakness. Although the possession of land afterwards ceased to confer power in the state, and the other kinds of wealth had prodigiously increased, and acquired an entirely new importance, the feelings of the noble class had remained unchanged; the prejudice had survived the causes which gave birth to it.

The consequence of this was, that the families of the *noblesse*, while they were liable in common with others to the chances of ruin, were precluded from the ordinary means of increasing their fortunes. The *noblesse*, therefore, taken as a body, was gradually becoming impoverished: and thus, after having abandoned the direct road to power, they remained equally strangers to the by-roads which might possibly conduct to it.

Not only were the nobles precluded from increasing or repairing their own fortunes by commerce and industry, but custom forbade them even to appropriate by marriage, wealth so acquired. A nobleman would have deemed himself degraded by an alliance with the daughter of a rich *roturier*. Nevertheless such unions were not uncommon among them; for their fortunes decreased more rapidly than their desires. These plebeian alliances, while they enriched certain members of the *noblesse*, put the finishing stroke to the ruin of that influence over opinion, which was the only power the body, as a body, retained.

We must consider what are men's motives, before we applaud them for having elevated themselves above common prejudices. To judge of their conduct, we must place ourselves at their own

point of view, and not at the point of view of abstract truth. To run counter to a common opinion because we believe it to be false, is noble and virtuous; but to despise a prejudice merely because it is inconvenient to ourselves, is nearly as dangerous to morality as to abandon a true principle for the same reason. The nobles were wrong in the first place, when they believed themselves degraded by marrying the daughters of *roturiers*. They were still more wrong in the second place, by marrying them under that persuasion.

In the eighteenth century the feudal laws relative to entails were still in vigour, but these laws had little effect in keeping together the fortunes of the nobles.

We suspect that the influence which such laws can exercise is frequently exaggerated. To produce important consequences, a concurrence of circumstances is required, which those laws do not produce, and which depends on quite other causes.

When the nobles are not tormented by the desire of enriching themselves, and when the other classes of the nation are tolerably content with the lot which Providence has assigned to them, the law of entail being then in complete accordance with the tendency of opinions and habits, the result of the whole is a universal slumber and immobility. Commoners having scarcely a greater chance of acquiring wealth than the nobles, and the nobles having no chance of losing theirs, all the advantage remains with the latter, and each generation of nobles maintains without difficulty the rank which the preceding generation occupied.

But in a nation where all except the nobles are seeking to enrich themselves, the territorial possessions of the *noblesse* become a sort of prize which all the other classes endeavour to catch at. The ignorance of the nobles, their passions, their foibles, all are put in requisition to draw into the general current of circulation the mass of landed property which they possess: and in a short time the *noblesse* themselves seldom fail to assist in the work.

The commons having only the privilege of wealth to oppose to the privileges of all kinds which their rivals enjoy, do not fail to display their opulence with every kind of ostentation. This excites the emulation of the nobles, who desire to imitate their splendour without having the same means to supply it. Embarrassment soon manifests itself in the fortunes of the nobles; their incomes become inadequate to their wants; and they themselves, ultimately feeling inconvenienced by the very laws which are made to keep them rich and powerful, seek by every means in their power to elude those laws. We will not positively assert, that even

then, entails do not somewhat retard the ruin of the nobles; but we believe that they cannot prevent it. There is something, more powerful than the constant operation of the laws in one direction; it is, the constant operation of human passions in the contrary direction.

At the breaking out of the French revolution, the laws of France still assigned to the eldest son of a noble, almost all the family estates. He was, in his turn, compelled to transmit them to his descendants unimpaired.

Nevertheless, many domains of feudal origin had already passed from the hands of the *noblesse*, and many others had been divided.*

Not only did the *noblesse* comprise in its ranks very rich and very poor men—a circumstance which by no means conflicts with the notion of an order of *noblesse*—but it included very many persons who were neither rich nor poor, but possessed moderate fortunes. This state of things already savoured more of democracy than of aristocracy; and if the composition of the French *noblesse* had been closely examined, it would have been found to be in reality a sort of democratic body, clothed in relation to all other classes with the privileges of an aristocracy.

But the danger which menaced the nobles arose much more from what was passing around them, than from what occurred within their own circle.

At the same time that the wealth of the French *noblesse* was dwindling, and their political and social influence fading away, another class of the nation was rapidly acquiring monied wealth, and even coming into contact with the government. The *noblesse* was thus losing ground in two ways. It was becoming both positively and relatively weaker. The new and encroaching class, which seemed to be elevating itself on the ruins of the other, had received the name of *tiers-état*.

As it is difficult to make Englishmen comprehend the nature of the French *noblesse*, so it is by no means easy to explain to them what was understood by *tiers-état*.

At the first glance it might be thought that in France the *tiers-état* was composed of the middle class, and stood between the aristocracy and the people. But this was not the case. The *tiers-état* included, it is true, the middle classes, but it also comprised elements which were naturally foreign to these classes. The richest merchant, the most opulent banker, the most skilful manufacturer, the man of letters, the man of science, might form

* It is stated in the *cahiers* of the *noblesse*, in 1789, that 'the country is covered with *châteaux* and mansions formerly inhabited by the *noblesse* of France, but now abandoned.'—*Résumé des Cahiers*, tome ii. p. 206.

part of the *tiers-état*, as well as the small farmer, the shopkeeper, and the peasant who tilled the ground. Every man, in short, who was neither a priest nor a noble, belonged to the *tiers-état*. It included rich and poor, the ignorant and the instructed. The *tiers-état* had thus within itself an aristocracy of its own. It contained within itself all the elements of a people; or rather it formed of itself a complete people, which co-existed with the privileged order, but which was perfectly capable of existing by itself, apart from them. It had opinions, prejudices, and a national spirit of its own. This is clearly discoverable in the *cahiers* drawn up in 1789, by the order of the *tiers-état*, to serve as instructions to its deputies. The *tiers-état* were almost as much beset with the fear of being mixed up with the *noblesse*, as the latter could have been of being confounded with them. They complained of the custom of ennobling by purchase, which permitted some of their body to penetrate into the ranks of the nobles. At the elections which preceded the assembling of the States-general, Lavoisier, the celebrated chemist, having wished to vote among the *tiers-état*, was rejected from the electoral college, on the ground that, having purchased an office which conferred nobility, he had forfeited the right of voting with *roturiers*.

Thus the *tiers-état* and the *noblesse* were intermixed on the same soil, but they formed, as it were, two distinct nations, which, though living under the same laws, remained strangers to each other. But of these two nations the one was incessantly recruiting its strength, the other was losing something every day, and never regaining anything.

The creation of this new people in the midst of the French nation threatened the very existence of the *noblesse*. The state of isolation in which the nobles lived was a still greater source of danger to them.

This complete division between the *tiers-état* and the nobles, not only accelerated the fall of the *noblesse*, but threatened to leave in France no aristocracy whatever.

It is not by chance that aristocracies arise and maintain themselves. Like all other phenomena, they are subject to fixed laws, which it is not, perhaps, impossible to discover.

There exists among mankind, in whatsoever form of society they live, and independently of the laws which they have made for their own government, a certain amount of real or conventional advantages, which, from their nature, can only be possessed by a small number. At the head of these may be placed birth, wealth, and knowledge. It would be impossible to conceive any social state in which all the citizens, without exception, should be noble, highly intellectual, or rich. These three advantages differ con-

siderably from one another, but they agree in this, that they are always the lot of a few, and give, consequently, to those who possess them, tastes and ideas of a more or less peculiar or exclusive kind. They therefore form so many aristocratic elements, which, whether separated, or united in the same hands, are to be found amongst every people, and at every period of history.

When the governing power is shared by all those who possess any of these exclusive advantages, the result is a stable and powerful aristocracy.

During the eighteenth century the French *noblesse* possessed within itself a portion only of the natural elements of an aristocracy. Some of those elements remained with the classes beyond their pale.

In isolating themselves from the aristocracy of wealth, and from that of intellect, the nobles believed they were remaining faithful to the example of their fathers. They did not remark, that in imitating the conduct they were missing the aim of their ancestors. In the middle age, it is true, birth was the principal source of all social advantages; but in the middle age the nobles were also the rich, and had called into alliance with them the priests, who were the instructed. Society yielded, and could not but yield, to these two classes of men a complete obedience.

But in the eighteenth century many of the wealthy class were not noble, and many of the nobles were no longer rich. The same might be said in respect to intelligence. The *tiers-état* formed one member of what may be called the natural aristocracy, separated from the main body, a member, which could not fail to weaken it, even by withholding its support, and was sure to destroy it by declaring war against it.

The exclusive spirit of the nobles tended not only to detach from the general cause of the aristocracy the chiefs of the *tiers-état*, but also all those who hoped one day to become *h. titi* *h.*

The greater number of aristocracies have perished because they established political and social inequality, but *the* they insisted upon maintaining it in favour of certain individuals and to the detriment of certain others. What mankind *i. adv.* is not so much inequality itself, as a particular kind of *untent* *ality.* Neither must it be thought that an aristocracy commo *hav* *el* *ishes* by the excess of its privileges. On the contrary, it *may* *hap* *ppen* that the greatness of those privileges sustains it. If every one may hope one day to enter into the exalted body, the exterior of the privileges of that body is often the very thing which renders it dear to those who have not yet become members of it. In this manner the very vices of the institution sometimes constitute its strength. Let it not be said that each man's chances are small. This is of little consequence, where the object to be attained is brilliant.

What excites human desires, is much less the certainty of moderate, than the possibility of splendid, success. Increase the greatness of the object to be attained, and you may without fear diminish the probabilities of obtaining it.

In a country where it is not impossible that a poor man may come to the highest offices of the State, it is much easier to continue excluding the poor from any share of control over the government, than in those countries where all hope of rising to a higher rank is denied them. The idea of the imaginary grandeur to which he may one day be called, places itself continually between the poor man and the contemplation of his real miseries. It is a game of chance, where the enormous possible gain lays hold of the mind in spite of the almost certainty of loss. He is charmed with aristocracy as with the lottery.

The division which existed in France between the different aristocratic elements, established in the aristocracy itself a sort of intestine war, by which democracy alone was destined to profit. Rejected by the *noblesse*, the principal members of the *tiers-état* were obliged, in combating those adversaries, to arm themselves with principles, convenient for their immediate purpose, but ultimately dangerous to themselves, even by reason of their efficacy. The *tiers-état* was one portion of the aristocracy which had revolted against the rest: and was obliged to profess the general principle of equality, as a means of overthrowing the particular barrier which was opposed to themselves.

Even within the pale of the *noblesse*, inequality was daily attacked; if not in its principle, at least in some one or other of numerous applications. The military nobles accused the *noblesse de robe* of arrogance, and the latter complained of the pre-eminence accorded to the former. The court noble affected to despise the rural nobles upon their petty seigniorial rights, and the

This complete at the favour bestowed upon the courtiers, not only accelerated the recently ennobled, who in turn leave in France no rest to the other. All these recriminations and

It is not by chance that different sections of the privileged class, selves. Like all other to the general cause of privileges which it is not, perhaps, the spectators of the quarrels of their

There exists among such of their language and doctrines as they live, and independent of this spread itself by degrees through the for their own government was conformable to the natural order of advantages, which, from that foundation on which all well-regulated society small number. At the theories found their way into the minds and knowledge. It would be, though still in the full enjoyment of state in which all the citizens look upon the possession of them as a highly intellectual, or rich as a right entitled to respect. much more closely than law, the

changes of opinion. The aristocratic principle still triumphed in political institutions, but manners had already become democratic : and a thousand different ties had established themselves between men whom their social position would naturally have separated.

A circumstance which favoured singularly this mixture of classes in society, was the position gradually acquired by the literary class.

In a nation where wealth is the sole, or even the principal foundation of aristocracy, money, which in all societies is the means of pleasure, confers power also. Endowed with these two advantages, it succeeds in attracting, towards itself the whole imagination of man ; and ends by becoming, we may almost say, the only distinction which is sought.

In such a country literature is little cultivated, and literary merit therefore scarcely attracts the attention of the public. But in the nations where the aristocracy of birth predominates, the same universal impulse towards the acquisition of wealth does not exist. The human mind not being driven in one direction by a single passion, abandons itself to the natural variety of its inclinations. If such nations are highly civilized, a large number of citizens are to be met with who prize mental enjoyments, and honour those who are capable of bestowing them. Many ambitious men, who despise wealth, and whose plebeian origin shuts them out from participation in public affairs, take refuge in the study of letters, and seek literary glory, the only kind that is open to them. They thus occupy, beyond the limits of politics, a brilliant position, which is seldom disputed with them.

In those countries where money is the source of power, the importance of a man is in proportion to the wealth he possesses ; and wealth being liable to be acquired or lost at any given moment, the members of the aristocracy are perpetually beset by the fear of falling from their rank, or of seeing other citizens rise to a participation in their privileges. The constant changeableness which thus prevails in the political world, throws their minds into a sort of permanent agitation. Even their enjoyment of their fortune is not untroubled ; they seize with haste the advantages which riches can bring. They are incessantly contemplating their position with an uneasy eye, to discover if they have not lost ground. On all other persons they cast looks of jealousy and fear, to find out whether anything is changed around them ; and all that is elevating itself, ends by giving them umbrage.

Aristocracies founded solely on birth display much less inquietude at the sight of anything illustrious without their circle ; because they are possessed of an advantage which from its nature can neither be divided nor lost. A person may *become* rich, but it is necessary to be born noble.

The French *noblesse* had at all times held out their hands to literary men, and liked to associate with them; but this was especially the case in the eighteenth century, a period of leisure, when men of rank found themselves almost as much relieved from the cares of government as the *roturiers* themselves, and when the spread of intelligence had communicated to all, the refined taste of literary pleasures. Under Louis XIV. the nobles were accustomed to honour and protect writers, but did not in reality mingle with them. The two were distinct classes, which often approached each other, but without being in any one instance confounded. Towards the close of the eighteenth century this was no longer the case. It was not that writers had been admitted to a share in the privileges of the aristocracy, nor that they had acquired an acknowledged position in the political world. The *noblesse* had not called them into its ranks; but many of the nobles had placed themselves in theirs. Literature had thus become a species of neutral ground, on which equality took refuge. The man of letters and the *grand seigneur* met there, without having sought, and without fearing each other; and there, beyond the limits of the real world, reigned a species of imaginary democracy, where every individual was reduced to his natural advantages.

This state of things, so favourable to the rapid development of science and letters, was far from satisfying the men who cultivated these pursuits. They occupied, it is true, a brilliant position, but one which was ill-defined, and perpetually contested. They shared in the pleasures of the great, and remained strangers to their rights. The nobles were sufficiently near to them to exhibit to them in detail all the advantages reserved for superiority of birth, but at the same time kept themselves sufficiently distant to prevent them from participating in or even tasting those advantages. Equality was thus placed before their eyes as a phantom, which fled before them in proportion as they approached to seize it. Accordingly the class of literary men thus favoured by the *noblesse* formed the most discontented portion of the *tiers-état*, and might be heard railing at privileges even in the palaces of the privileged.

This democratic tendency made itself manifest not only among the men of letters who frequented the society of the nobles, but also among those nobles who had become men of letters. The greater number of the latter warmly professed the political doctrines generally received among literary men: and, far from introducing the aristocratic spirit into literature, they transported what might be called the literary spirit into a portion of the *noblesse*.

Whilst the upper classes were gradually lowering themselves, the middle classes were gradually raising themselves, and an insensible movement was bringing them daily nearer to each

other. Changes were going on in the distribution of property which were of a nature to facilitate, in a most singular manner, the growth and ultimate rule of democracy.

Almost all foreigners imagine that, in France, the division of landed property first commenced from the epoch when the laws relating to descent experienced a change, and when the greater part of the domains belonging to the nobles were confiscated. This is an error. At the moment when the revolution broke out, the lands, in a great number of provinces, were already considerably divided. The revolution did but extend to the whole territory what had previously been peculiar to some of its parts.

There are many causes which may tend to make landed property accumulate in few hands. The first of these is physical force. A conqueror seizes the lands of the conquered, and divides them among a small number of his partisans. In this way the ancient proprietors are deprived of their rights; but there are other cases in which they themselves voluntarily cede them.

Let us imagine a people amongst whom industrial and commercial enterprises are numerous and productive, and intelligence sufficiently developed to enable every person to perceive the advantages of fortune which may be acquired by trade and industry. Let us suppose that by a combination of causes—laws, manners, and ancient ideas—landed property is still among this people the principal source of consideration and power. The shortest and most rapid way of becoming enriched, would be to sell any land which may happen to be possessed, and employ the purchase-money in trade. The best means, on the other hand, of enjoying a fortune when acquired, would be to withdraw it from trade and invest it in land. Land in that case becomes an object of luxury—of ambition, and not of pecuniary speculation. The ends sought to be obtained by its acquisition, are not harvests, but honours and power. This being the case, small landed properties will be offered for sale, but purchasers can be found only to throw them into larger; for the object, as well as the position, of the seller, differs considerably from that of the buyer. The first, compared with the second, is a poor man going in quest of a competence; the other is a rich man, who has a large superfluity, and desires to apply it to his pleasures.

If to these general causes we add the particular operation of legal arrangements, which, while they give great facilities to the alienation of movable property, render the conveyance of land so difficult and onerous, that the rich, who alone have the desire to possess landed property, have also exclusively the means of acquiring it; we shall comprehend without difficulty, that among such a people, small landed properties must have a perpetual tendency

to disappear, by being merged into a small number of large estates.

In proportion as industrial processes are perfected and multiplied, and as the diffusion of intelligence renders the poor man more aware of what these new instruments can do for him, the movement which we have just described naturally becomes more rapid. The prosperity of trade and industry will, more forcibly than ever, induce the small proprietor to sell; and this same cause will be constantly creating large masses of wealth, which will permit those who possess them to acquire immense domains. It would thus seem that the aggregation of the land of a country in large masses may be found at the two extremes of civilization; first, when men are in a state of semi-barbarism, and do not prize, indeed do not know, any other kind of wealth; and lastly, when they have become highly civilized, and have discovered a thousand other means of enriching themselves.

The picture which we have drawn may serve for a representation of England. No part of what we have said has ever been applicable to France.

It is extremely doubtful whether, at the conquest of France by the barbarians, the land was divided among the conquerors in a general and systematic manner, as was the case in England after the invasion of the Normans. The Franks were much less civilized than the Normans, and much less skilful in the art of systematizing their violence. The Frankish conquest moreover goes back to a much remoter epoch, and its effects became earlier weakened. There is reason to believe that in France many domains have never been subject to the feudal law; and those which were subject to it appear to have been of more moderate extent than in several others of the European States. The land consequently had never been very much agglomerated, or at least had for a long time ceased to be so.

We have seen that, long before the French revolution, landed property had come to be no longer the principal source of consideration and of power. During the same period industry and commerce had not made a very rapid progress; and the people, already sufficiently enlightened to conceive and desire a better condition than their own, had not yet acquired intelligence to disclose to them the most ready means of attaining it. The land, whilst it ceased to be an object of luxury to the rich, became an object, or to say truth, the only object of industry to the poor. The former disposed of it, to facilitate and increase his pleasures; the other purchased it, to improve his circumstances. In this manner landed property was silently passing out of the hands of the nobles, and becoming divided among the people.

While the ancient proprietors of the soil were thus losing their estates, a multitude of commoners came gradually to acquire considerable property. But they only did so by great efforts, and by the aid of most imperfect processes. Thus the large territorial fortunes daily diminished, without much contemporaneous amassing of large capitals; and in the place of a few vast domains, were created many small ones, the slow and painful fruit of labour and economy.

These changes in the distribution of landed property, facilitated in a singular manner the great political revolution which was on the eve of taking place.

Whoever thinks to succeed in permanently establishing perfect equality in the political world, without introducing at the same time an approach to equality in society itself, appears to us to fall into a dangerous error. You cannot with impunity place men in a position in which they have alternately the feelings of strength and those of weakness. You cannot make them approach to complete equality on one point, and leave them to suffer extreme inequality on others, without their shortly aspiring to be strong, or becoming weak, on all points. But the most dangerous species of social inequality is that which results from the accumulation of landed property in large masses.

The possession of land gives to men a certain number of peculiar ideas and habits, which it is very important to take into account, and which the possession of movable wealth either does not produce, or produces in a minor degree.

Great territorial properties localize, if we may so speak, the influence of wealth; and forcing it to exert itself always in the same place and over the same persons, give it by that means a more intense and a more permanent character. Inequality of movable property creates rich individuals; inequality of landed property makes opulent families. It connects the wealthy with one another; it even unites different generations; and creates at length in the State a little community apart from the nation, which invariably comes to obtain a certain degree of power over the larger community in the midst of which it is placed. This is precisely the thing which is most hurtful to a democratic government.

There is nothing, on the contrary, more favourable to the reign of democracy, than the division of the land into small independent properties. The possessor of a small monied fortune almost always depends more or less on the passions of others. He is compelled to bend either to the rules of an association, or to the desires of an individual: he is exposed to every vicissitude in the commercial or industrial condition of his country; his existence is incessantly troubled by alternations of prosperity and distress; and

it is rare that the fluctuation which rules his destiny, does not introduce disorder into his ideas, and instability into his tastes. The small landed proprietor, on the contrary, receives no impulse but from himself. His sphere is confined, but he moves within it in perfect liberty. His fortune increases slowly, but it is not subject to sudden risks. His mind is tranquil as his destiny; his tastes regular and peaceful as his labours; and not being absolutely in want of anybody's assistance, he maintains the spirit of independence even in the midst of poverty.

One cannot doubt that this mental tranquillity of a large number of the citizens—this calmness and simplicity in their desires—this habit and relish of independence—favours in a singular manner the establishment and the maintenance of democratic institutions. For our part, should we see democratic institutions established among a people where great inequality of fortune prevailed, we should consider such institutions as a passing accident. We should think that both the owners of property and the labouring classes were in peril: the former exposed to the risk of losing their property by violence, the last to that of losing their independence. It is, therefore, strongly the interest of those nations who desire to arrive at a democratic government, that great inequality of fortune should not exist amongst them; but above all, that such inequality should not prevail in landed property.

In France, at the close of the 18th century, the principle of the inequality of rights and conditions still ruled despotically in political society. The French not only had an aristocracy, but a *noblesse*: that is to say, of all the systems of government of which inequality is the basis, they had preserved the most exclusive, and, if we may use the expression, the most intractable. A man must be noble before he could serve the state. Without nobility a man could scarcely approach the prince, who was forbidden all contact with *roturiers* by the puerilities of etiquette.

The details of the French institutions were in accordance with this principle. Entails, the right of primogeniture, the seigniorial rights, the corporations—all the remains of the ancient feudal society still existed.

France had a state religion, the ministers of which were not only privileged, as they still are in some other aristocratic countries, but were alone tolerated by law. The Church, being, as in the middle ages, proprietor of a large portion of the country, naturally took a considerable share in the government.

In France, nevertheless, everything had for a long time been in progress towards democracy. He who, without resting in first appearances, had pictured to himself the state of moral impotence into which the clergy had fallen—the impoverishment and degra-

dation of the *noblesse*—the wealth and intelligence of the *tiers-état*—the remarkable division of landed property which already existed—the great number of middling, and the small number of large fortunes; who had recollected the theories professed at this epoch, the principles tacitly but almost universally admitted—he, we repeat, who had embraced in one view all these different objects, could not have failed to conclude that the France of that day, with her *noblesse*, her state religion, her aristocratic laws and customs, was already, taken altogether, the most really democratic nation of Europe: and that the French at the close of the eighteenth century, by their social state, their civil constitution, their ideas and their manners, had already outstripped greatly even those among the nations of the present day who tend most conspicuously towards democracy.

It is not only in the progress she was making towards equality of conditions, that France of the eighteenth century approximated to the France of our day. Many other features of the national physiognomy, which are usually looked upon as new, had already made their appearance.

It may perhaps be laid down as a general truth, that there is nothing more favourable to the establishment and durability of a system of municipal and provincial institutions independent of the general government, than a territorial aristocracy.

There are at every point of the territory occupied by such an aristocracy, one or more individuals who, being already placed above the rest by their birth and their riches, naturally assume, or upon whom is naturally conferred, the management of the affairs of their neighbourhood. In a society, on the contrary, where there exists great equality of conditions, the citizens, being so nearly equal among themselves, are naturally led to place the details of administration in the hands of the only power which stands forth conspicuously in an elevated situation above them all; namely, the central government of the state. And even when they may not be disposed thus to delegate the management of all their affairs to the central government, they are often compelled, by their individual weakness, and the difficulties which oppose their acting in concert, to suffer that government to usurp it.

It is true that when once a nation has admitted the principle of the sovereignty of the people—when intelligence has diffused itself—when the art of government has been brought to considerable perfection, and the evils of an administration too much centralized, have been felt—then, indeed, the inhabitants of the country, and of the country towns, are often seen endeavouring to create a collective power among themselves, for the direction of their local affairs. Sometimes even the supreme power itself,

bending under the weight of its own prerogatives, endeavours to localize the business of government, and seeks, by combinations more or less skilful, to found artificially in all the different points of the country a kind of elective aristocracy. A democratic people tends towards centralization, as it were by instinct. It arrives at provincial institutions only by reflection.

But provincial self-government thus founded is always exposed to great hazards. In an aristocratic country, local authorities often subsist in spite of the hostility of the central power, and always without depending upon the interference of the latter to preserve them; but in a democratic country, the local government is often a creation of the central power, which suffers itself to be deprived of some of its privileges, or strips itself of them of its own accord.

This natural tendency of a democratic people to centralize the business of government, becomes chiefly manifest, and has the most rapid growth, in an epoch of struggle and transition, when the aristocratic and the democratic principles are disputing with each other for ascendancy.

The people, at the moment when they begin to feel their power, finding that the nobles direct all local affairs, become discontented with the provincial government, less as provincial than as aristocratic. The provincial power once torn from the hands of the aristocracy, there remains the question in whose hands it shall be placed.

In France it was not only the central government, but the king in particular, who was exclusively vested with this power. This arises from causes which it may be well to explain.

We have already expressed our opinion that the democratic portion of society have a natural tendency to centralize the management of all their joint concerns: but we are far from contending that their inclination leads them to centralize it in the person of the king alone; that depends upon circumstances. When unfettered in their choice, the people will always prefer to confide the powers of administration to an assembly or a magistrate of their own choosing, rather than to a prince placed beyond their control. But this liberty is often wanting to them.

The democratic portion of society, at the time when it begins to feel its strength, and wishes to exert it, is as yet composed only of a multitude of individuals, equally weak, and equally incapable of struggling single-handed against the great individual existences of the nobles. It has an instinctive desire to make itself felt in the government, without having the command of any of the instruments by which the government can be influenced. These numerous individuals, being also widely scattered and little accustomed to concert, feel instinctively the necessity for finding,

somewhere out of themselves and yet distinct from the aristocracy, an authority already constituted, round which they can rally, and, by combining as a whole, obtain that influence which is denied to them individually.

The popular power having as yet no constitutional organization; the only power already constituted, independently of the aristocracy, of which the people can avail themselves, is the prince. Between the prince and the nobles there is, no doubt, a natural affinity of inclination, but not a perfect identity; if their tastes and habits are alike, their interests are often contrary. The nations, therefore, which are in progress towards democracy, commence ordinarily by increasing the royal power. The prince inspires less jealousy and less fear than the nobles; and, besides, in periods of revolution, it is something gained to change the depositaries of power, even if it be only taken from one enemy to be vested in another.

The great triumph of the English aristocracy has been their long success in making the democratic classes believe that the common enemy was the prince; thus constituting themselves the virtual representatives of the people, instead of remaining conspicuously their principal adversaries.

In general, it is only after having, by the assistance of the king, completely destroyed the power of the aristocracy, that a democratic people begins to think of rendering the king himself accountable for the power which it has allowed him to assume; and attempts either to render him dependent upon itself, or to remove the authority with which it has invested him, into other and more dependent hands.

But, even when the democratic classes, after having succeeded in placing the powers of government in the hands of their own representatives, become desirous to divide those powers among several distinct authorities, this is often not easily effected: whether from the difficulty always found in withdrawing power from those who are once in possession of it, or from the uncertainty of knowing where best to place it.

The democratic classes can always find among themselves a sufficient number of able and enlightened men to compose a political assembly or a central government; but it may happen that they do not find a sufficient number to be organized into provincial bodies. It may happen that the people of the provinces are not willing to allow themselves to be governed by the aristocracy, and are not yet in condition to form a government for themselves. In the mean time the powers of local administration can only be exercised by the central authority.

A considerable time, moreover, elapses before a people, just

escaped from the hands of an aristocracy, feel the advantage, and experience the desire, of *uncentralizing* the management of their common concerns.

In the nations subject to an aristocracy, every individual belonging to the inferior classes has contracted, almost from his birth, the habit of looking in his immediate neighbourhood for the man who is the principal object of his jealousies, hopes, or fears. He is accustomed to consider the central government as the natural umpire between himself and his local oppressor; and he contracts the habit of attributing to the first a great superiority of intelligence and wisdom. These two impressions often subsist when the causes which have given birth to them have perished.

Long after the aristocracy has been destroyed, the citizens still look with a kind of instinctive fear upon all who are elevated above them in their own neighbourhood; they are with difficulty induced to believe that skill in affairs, impartiality in rendering justice, or respect for the laws, can be found in an authority at their own doors. They are jealous of neighbours who have become their equals, because they have been jealous of neighbours who were their superiors; they distrust even men of their own choice; and, though they no longer consider the central government as their shelter against the tyranny of the nobles, they still look upon it as a safeguard against their own mistakes. Thus, then, nations whose social condition is becoming democratic, almost always begin by concentrating all power in the prince: and when, afterwards, they acquire the necessary energy and force, they destroy the instrument, but continue to centralize the power in the hands of an authority which has now become dependent upon themselves.

When they become stronger, better organized, and more enlightened, they make a new effort, and, taking away from their general representatives some portion of the business of administration, they confide it to a secondary class of elective functionaries. Such appears to be the natural, the instinctive, and we may add the inevitable progress, which those societies follow, who, by their social condition, their ideas, and their manners, are travelling towards democracy.

In France, the extension of the royal power to embrace every part of the public administration, regularly kept pace with the rise and progressive development of the democratic classes. In proportion as conditions became more equalized, the king penetrated more deeply and more habitually into the management of the local affairs; the towns and the provinces lost their privileges, or by degrees neglected to make use of them.

The people and the *tiers-état* assisted these changes with all their force, and even gave up, voluntarily, all their rights,

where it so happened that they possessed any, in order to draw into a common ruin those of the nobles. The independent local authorities, and the power of the nobles, were therefore both weakened in the same manner and at the same time.

The kings of France had been singularly assisted in this tendency, by the support which, during so many ages, had been afforded to them by the lawyers. In a country like France, where there existed privileged orders, a *noblesse* and a clergy, who had within themselves a large portion of the intelligence and almost all the riches of the country, the natural chiefs of the democracy were the lawyers. Until the French lawyers themselves aspired to govern in the name of the people, they laboured assiduously to ruin the *noblesse* for the aggrandizement of the throne. They lent themselves to the despotic purposes of the kings, with singular readiness and with infinite art.

This is not peculiar to France; and we may be permitted to believe that, in serving the regal power, the French lawyers obeyed the instincts of their own position, as much as they consulted the interests of the class of which they found themselves accidentally at the head.

There exist, says Cuvier, natural analogies between all the parts of an organized body, by which, from the examination of a detached portion of any one of them, we may in imagination correctly reconstruct the whole. By a similar process of investigation to that which detected these analogies, many of the general laws which govern the universe might be discovered.

If we study what has passed in the world since men began to preserve the remembrance of events, we soon discover that, in civilized countries, by the side of a despot who governs, there is almost always a lawyer, who regularizes, and strives to render consistent with one another, the arbitrary and incoherent decrees of the monarch.

The general and indefinite love of power which animates kings is, by the lawyers, tempered with a love of method, and with the skill which they naturally possess in the management of business. Kings can constrain, for the time being, the obedience of men; lawyers can bend them almost voluntarily to a durable obedience. Kings furnish the power; lawyers invest that power with the form and semblance of a right. Kings seize upon absolute power by force; lawyers give it the sanction of legality. When the two are united, the result is a despotism which scarcely allows a breathing-place to human nature.

He who conceives the idea of the prince, without that of the lawyer, sees only one of the aspects of tyranny; to conceive it as a whole, it is necessary to contemplate them both at once.

Independently of the general causes of which we have spoken, there existed in France many of an accidental and secondary nature, which hastened the concentration of all power in the hands of the king. Paris had, from an early period, acquired a singular preponderance in the kingdom. There existed in France several considerable towns; but there was only one great city, which was Paris. From the middle age Paris had already begun to become the centre of the intelligence, the riches, and the power of the kingdom. The centralization of political power in Paris continually augmented the importance of that city; and its increasing importance facilitated in turn the concentration of power. The king drew all the public business to Paris, and Paris drew all the public business to the king.

France had formerly been made up of provinces, acquired by treaties or conquered by arms, and which long remained in the position of foreigners towards one another. In proportion as the central power was enabled to subject these different portions of territory to a uniform system of administration, the differences which previously existed among them vanished; and, in proportion as these differences subsided, the central power found greater facilities in extending its sphere of action over all parts of the country. Thus the unity of the people facilitated the unity of the government, and the unity of government aided in blending the people into one nation.

At the end of the eighteenth century France was still divided into thirty-two provinces, in which thirteen parlements, or supreme courts of justice, interpreted the laws according to various conflicting systems. The political constitution of these provinces varied considerably. Some had preserved a sort of national representation, others had never possessed any. In some the feudal laws were still observed, in others the Roman. All these differences, however, were superficial, or, properly speaking, only external. The whole of France had already, in a manner, but one mind; the same ideas were prevalent from one end of the kingdom to the other; the same customs were in vigour—the same opinions were professed; the human mind was cast in the same mould—had the same general tendencies. The French, in short, with their provinces, their parlements, the diversity of their civil laws, the fantastic variety of their customs, composed, nevertheless, the nation of Europe the most firmly bound together in all its parts, and the most capable, in case of need, of moving as one man.

In the centre of this great nation, composed of elements so homogeneous, was a royal power, which, after having possessed itself of the direction of the greater affairs of the public, aspired also to the regulation of the smaller.

All strong governments strive to centralize the administration; but they succeed more or less in the attempt, according to their own nature.

When the predominant power resides in an assembly, the centralization is more apparent than real. The assembly can interfere only by the enactment of laws, and laws cannot foresee every thing; or, even if they did, they cannot be carried into execution but by means of agents, and with the aid of a continual *surveillance* of which a legislative assembly is incapable. The legislative branch of the government, consequently, is centralized, but not the administrative.

In England, where Parliament is considered entitled to take cognizance of all the affairs of society, whether great or small, administrative centralization is little known; and the great representative body leaves to the will of individuals a great independence in detail. This does not originate in any natural moderation on the part of this great body; it does not pay deference to local liberty from any peculiar respect to it, but because its own constitution does not afford it any efficacious means of interfering with the exercise of that liberty.

When, on the other hand, the predominant power resides in the executive, (the man who commands having the means of causing the minutest details of his will to be executed,) the central power may gradually extend itself to everything; or, at least, there is nothing in its own constitution which limits it. If this preponderant executive power is placed in the midst of a people among whom everything has already a natural tendency toward the centre,—where no citizen is in a condition to resist individually, where numbers cannot legally combine their resistance,—and where all, having nearly the same habits and manners, bend without difficulty to a common rule,—it is not easy to see what limits can be set to administrative tyranny, nor why (not content with directing the great interests of the state) the agents of government may not at last assume to regulate the affairs of families.

The above picture represents correctly the state of France before 1789. The royal power had assumed, directly or indirectly, the management of everything, and had no longer, to speak correctly, any limits but in its own will. In most of the towns and provinces it had destroyed even the semblance of a local government, and to the others it had left nothing more than the semblance. The French, while they formed, of all the nations of Europe, that in which the greatest national unity existed, were also that in which administrative business had been brought into the most systematic form, and where what has since been called Centralization existed in its highest degree.

We have shown that, in France, the constitution tended to be-

come more despotic every day. Nevertheless, by a singular contrast, habits and ideas became constantly more liberal. Liberty disappeared from institutions, and maintained itself more than ever in manners: it seemed to be more cherished by individuals in proportion as the securities for it were less; and one might have thought that the independence which had been snatched from the great bodies of the state, had been conferred upon its individual members.

After having overturned its principal adversaries, the royal power had stopped as it were of itself; it had been softened by victory, and appeared to have contended for the possession of power rather than for its exercise.

It is a great, though a common, error to believe that the spirit of liberty in France had its birth with the revolution of 1789. It had always been one of the distinctive characters of the nation; but this spirit had only shown itself at intervals, and, as it were, by fits. It had been an instinct rather than a principle; irregular, and at once violent and feeble.

Never was a nobility more proud, and more independent in its opinions and in its actions, than the French *noblesse* of the feudal times. Never did the spirit of democratic liberty show itself with more energy, than in the French *communes* of the middle age, and in the states-general which assembled at different periods up to the commencement of the seventeenth century (1614). Even when the royal power had substituted itself for all other powers, the national spirit submitted to it, but without servility.

It is necessary to distinguish the fact of obedience, from the various causes of that fact. "There are nations who bend to the arbitrary will of the prince, because they believe that he has an absolute *right* to command over them. Others, again, see in him the representative of the idea of country; or the image of God upon earth. There are others, who adore a royal power which succeeds to a tyrannical oligarchy of nobles, and experience, in giving obedience to it, a mixed feeling of gratitude and pleasant repose. In all these kinds of obedience, there is, no doubt, a mixture of prejudice; they denote insufficiency of intelligence, but not degradation of character.

The French of the seventeenth century submitted to *royalty* rather than to *the king*, and obeyed royalty not because they merely judged it to be powerful, but because they believed it to be a beneficent and a legitimate power. They had, if we may so speak, a *free* principle of obedience. They also mixed with their submission a kind of independence, of firmness, of delicacy, of caprice, of irritability, which demonstrated clearly that, in adopting a master, they had retained the spirit of liberty.

The king, who in certain cases could, without restraint, dispose

of the fortunes of the state, would have been quite impotent in certain other cases, even to control, in the smallest trifles, the actions of his subjects, or to suppress the most insignificant of opinions; and, in case of resistance to such encroachment, the subject would have been better defended by the state of usages and manners, than the citizens of free countries are often protected by their laws.

But these are sentiments and ideas which nations that have always been free, or even that have become so, do not comprehend. The former have never known them, the latter have long since forgotten them. They both see, in obedience to an arbitrary power, nothing but degradation; and, amongst the people who have lost their liberty after having once enjoyed it, obedience has really that character. But there often enters into the submission of a people who have never been free, a principle of morality which must not be overlooked.

At the close of the eighteenth century this spirit of independence, which had always characterized the French, had not only singularly developed itself, but had entirely changed its character. During this century, a sort of transformation had taken place in the notion which the French had of liberty.

Liberty may be conceived, by those who enjoy it, under two different forms: as the exercise of a universal right, or as the enjoyment of a privilege. In the middle ages, those who possessed any liberty of action, viz. the feudal aristocracy, figured to themselves their liberty under the latter type. They desired it, not because it was what all were entitled to, but because each considered himself as possessing, in his own person, a peculiar right to it. And thus has liberty almost always been understood in aristocratic societies, where conditions are very unequal, and where the human mind, having once contracted the thirst for privileges, ends by ranking among privileges all the good things of this world.

This notion of liberty as a personal right of the individual who so conceives it, or at most of the class to which he belongs, may subsist in a nation where general liberty does not exist. It even sometimes happens that, in a certain small number of persons, the love of liberty is all the stronger, in proportion to the deficiency of the securities necessary for the liberties of all. The exception is the more precious in proportion as it is more rare.

This aristocratic notion of liberty produces, among those who have imbibed it, an exalted idea of their own individual value, and a passionate love of independence; it gives extraordinary energy and ardour to their pursuit of their own interests and passions. Entertained by individuals, it has often led them to

the most extraordinary actions ;—adopted by an entire people, it has created the most energetic nations that have ever existed.

The Romans believed that they alone of the human race were fitted to enjoy independence ; and it was much less from nature than from Rome that they thought they derived their right to be free.

According to the modern, the democratic, and, we venture to say the only just notion of liberty, every man, being presumed to have received from nature the intelligence necessary for his own general guidance, is inherently entitled to be uncontrolled by his fellows in all that only concerns himself, and to regulate at his own will his own destiny.

From the moment when this notion of liberty has penetrated deeply into the minds of a people, and has solidly established itself there, absolute and arbitrary power is thenceforth but a usurpation, or an accident ; for, if no one is under any moral obligation to submit to another, it follows that the sovereign will can rightfully emanate only from the union of the wills of the whole. From that time passive obedience loses its character of morality, and there is no longer a medium between the bold and manly virtues of the citizen and the base compliances of the slave.

In proportion as ranks become equalized, this notion of liberty tends naturally to prevail.

France, nevertheless, had long emerged from the ignorance of the middle ages, and had modified her ideas and manners in a democratic direction, before the feudal and aristocratic notion of liberty ceased to be universally received. Every one, in protecting his individual independence against the claims of despotism, had still much less in view the assertion of a common right, than the defence of a particular privilege ; and the question between him and his oppressor was much less one of principle than one of fact. In the fifteenth century some adventurous spirits had a glimpse of the democratic idea of liberty, but it was almost immediately lost sight of. It was during the eighteenth only that the transformation began to operate.

The idea that every individual, and by extension every people, is entitled to the direction of its own interests—this idea, still vague, incompletely defined, and not yet expressed in any correct language, introduced itself by slow degrees into all minds. It became fixed, as an opinion, among the enlightened classes,—it penetrated, as a species of instinct, even among the body of the people.

From this resulted a new and more powerful impulse towards liberty. The taste which the French always had for independence, became at length an opinion resting on reason and conviction,

which, spreading from one person to another, ended in attracting towards it the royal power itself, which, still absolute in theory, began to acknowledge tacitly by its conduct that public feeling and opinion were the first of powers. 'It is I who nominate my ministers,' said Louis XV.; 'but it is the nation which dismisses them.' Louis XVI., in prison, retracing his last and most secret thoughts, made use of the term '*My fellow-citizens*,' in speaking of his subjects.*

Speaking as the organ of one of the first tribunals of the kingdom, Malesherbes said to the king, in 1770, twenty years before the revolution,—

'You hold your crown, Sire, from God alone; but you will not refuse yourself the satisfaction of believing that, for your power, you are likewise indebted to the voluntary submission of your subjects. There exist in France some inviolable rights, which belong to the nation. Your ministers will not have the boldness to deny this; but, if it were necessary to prove it, we need only invoke the testimony of your Majesty. No, Sire, in spite of all their efforts, they have not yet been able to persuade your Majesty that there is no difference between the French nation and a nation of slaves.'

And further on he adds:—

'Since all the intermediate bodies are impotent or annihilated, interrogate the nation itself;—there only remains the nation to be consulted by you.†

The spirit of liberty manifested itself, indeed, by writings rather than by actions,—by individual efforts rather than by collective enterprises,—by an *opposition* often puerile and unreasonable, rather than by a grave and systematic resistance.

This force of opinion, acknowledged even by those who often trampled it under foot, was subject to great alternations of strength and weakness; all-powerful to-day, almost imperceptible on the morrow; always irregular, capricious, undefined; a body without an organ; a shadow of the sovereignty of the people, rather than the thing itself.

It will be always thus with a people who have the taste and the desire for liberty without having yet known how to establish popular institutions.

It is not that we believe men may not enjoy a species of independence, even in countries where no such institutions exist. Customs and opinions may sometimes, to a certain extent, suffice; but, in these circumstances, men are never secure of the durability of their freedom, because they are never assured that they shall at all instants be ready to assert it. There have been times when

* See the testament of Louis XVI. written the day previous to his death.

† See '*Remontrances de la Cour des Aides*, 1770.'

the nations most in love with their independence have suffered themselves to consider it only as a secondary object. The great utility of popular institutions is, to sustain liberty during those intervals wherein the human mind is otherwise occupied,—to give it a kind of vegetative life, which may keep it in existence during those periods, of inattention. The forms of a free government allow men to become temporarily weary of their liberty without losing it. When a people are determined to be slaves, it is impossible to hinder their becoming so; but, by free institutions, they may be sustained for some time in independence, even without their own assistance.

A nation which comprised fewer poor, fewer rich, fewer powerful individuals, and fewer absolutely impotent, than any other nation in the world;—a people with whom the theory of equality had taken root in their opinions, the taste for equality in their dispositions;—a country already more homogeneous and united in its parts than any other, subject to a government more centralized, more skilful, and more powerful than any other, and yet in which the spirit of liberty, always vivacious, had recently assumed a new character, more enlarged, more systematic, more democratic, and more restless than in any other country—such was France—such were the principal features which marked her physiognomy at the end of the eighteenth century.

If we now close the page of history, and, after having allowed half a century to elapse, come to consider what the intervening time has produced—we observe immense changes; but, in the midst of new and unheard-of things, we easily recognise the same characteristic features which struck us half a century earlier. The effects, therefore, said to be produced by the French Revolution, are usually exaggerated.

Without doubt, there never was a revolution more powerful, more rapid, more destructive, and more creative than the French Revolution. It would, however, be deceiving ourselves strangely, to believe that there arose out of it a French people entirely new, and that an edifice had been erected whose foundation had not existed before. The French Revolution has created a multitude of accessory and secondary things; but, of all the things of principal importance, it has only developed the germs previously existing. It has regulated, arranged, and legalized the effects of a great cause, but has not been itself that cause.

In France conditions were already more equalized than elsewhere; the revolution carried still further that equality, and introduced it into the laws. The French had, at an earlier period and more completely than any other country, abandoned the minute

subdivisions of territory, the innumerable independent authorities, of the feudal system; the revolution completed the union of the whole country into one body. Already the central power had, more than in any other country, extended its interference to the management of local affairs; the revolution rendered that power more skilful, stronger, and more enterprising. The French had conceived, before all others, and more clearly than all others, the democratic idea of liberty; the revolution gave to the nation itself, if not all the reality, at least all the appearance of sovereign power. If these things are new, they are ~~so~~ only in form, and in their degree of development, not in their principle and in their essence.

All that the revolution has done, would have been done, sooner or later, without it. It was but a violent and rapid process, by the aid of which the changes already effected in society were extended to the government; laws were made to conform themselves to manners; and the direction already taken by opinions, was communicated to the outward world.

What portion of their ancient condition have the French preserved? What has become of the elements of which the clergy, the *tiers-état*, and the nobility were composed? What new divisions have succeeded to these divisions of the ancient monarchy? In what form are the aristocratic and democratic interests clothed at the present time? What changes have been produced in landed property, and what effects have been the consequence of those changes? What modifications have taken place in the ideas, the habits, the customs, the whole spirit of the nation?

These topics will form the subject of the articles intended to succeed the present.

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ART. VII.

PHILIP VAN ARTEVELDE.

Philip Van Artevelde; a Dramatic Romance. By Henry Taylor, Esq.

THIS is the production of a mind of unquestionable ability and sedulous cultivation,—more capable, however, of correct thinking, and the apt and forcible expression of its results, than of presenting to us those animated representations of the passionate part of our nature which form the peculiar theme of the dramatic poet. Throughout the piece the author contrives to interest us in the reflections, rather than to implicate us in the emotions, which the course of events gives occasion to; and almost every passage which an applauding critic would select for quotation would be found to be either of a descriptive or a didactic cha-

racter, informing the understanding fully as much as it stimulates the feelings.

In the preface to his work Mr. Taylor has taken the opportunity to express his opinion, and declare his taste, upon the various kinds of poetical composition. In doing this, he has happily escaped the error into which a great contemporary has fallen; he has not exaggerated a few judicious remarks into the boastful shape of a theory of poetics. As would be expected by every reader of 'Van Artevelde,' Mr. Taylor pronounces in favour of that order of poetry which presents a substantial food for the intellect. To this preference we have nothing to object. We also, in common, we believe, with all people who desire to take credit to themselves for a portion of good sense, like to have a *meaning* presented to our mind, and are very impatient with the prettiest of words and the most melodious of verses when this chief requisite is wanting. A meaning to be expressed is with us the *ratio sufficiens* of poetry, as of other writing, without which we can give no satisfactory account of its existence. If we differ here from Mr. Taylor it is in this, that we should allow to the poet a greater licence than he would apparently grant in the *mode* of exhibiting his idea. We should tolerate a degree of vagueness, if accompanied by vividness and vehemence, and not deviating from the truth of nature, which he would probably be offended with. We apprehend—yet this is partly conjecture—that we should admire more cordially than he those strains of poetry in which the meaning is conveyed at a flash, by bold types and fragmentary efforts of the imagination, bearing somewhat the same analogy to the ordinary language of thought, as symbolic writing to the alphabetic character. The precision which we require from the poet is of a different character from that which we demand of the professed logician and philosopher. Instead of labouring to define his idea, to distinguish it with rigid accuracy from every other, he is not merely permitted, but expected, to pour it forth in a state of fusion with many feelings and images which may have no connection with it but in the idiosyncracies of association belonging to a peculiar mind. Be it remembered, also, that there are cases where the emotion, or sentiment, though experienced by all mankind, is yet, in its very nature, vague and indistinct. We stand before the sea, for instance, and are filled with undefined thoughts of grandeur, variety, vastness, and duration, but we find no scientific words in which to express ourselves. The poet steps forth and provides us with a language. Shall we retort upon him that, after all, his language is indistinct? It is so because it is intended to express an indistinct idea. Much of that poetry which age after age has consented to extol, as of the very highest order,

is nothing more than an attempt to give adequate expression to some complex feeling of this indefinite nature.

We object to Mr. Taylor's critical remarks, not that they are erroneous, but that they are incomplete. In a note he describes 'a powerful reasoning faculty and an ardent and affluent imagination' as being 'the constituents of true genius.' And so they are, but not the only constituents. There are kinds of genuine poetry which could not possibly have been produced by these alone, without that passionateness of emotion and exquisiteness of sense which form the basis of the poetic temperament. Mr. Taylor's remarks take their tone and colouring, and this quite unaffectedly, from the peculiar talent which he himself possesses. That in which we excel we are disposed to estimate highly, and Mr. Taylor has succeeded in the graver and more reflective cast of poetry. The interlude, between the parts of Artevelde, to which he alludes, as to a specimen of the more popular and captivating style of writing, forms no exception to this general character of his verse. Whatever is praiseworthy in the interlude, is of the same kind of excellence which is more fully displayed in the drama itself.

The manner in which Byron and Shelley are characterized in this preface is far, we think, from a correct verdict upon them. The truth is told only on one side; and not, indeed, always the truth. We have spoken of Shelley in another article of this number, and to him, therefore, we shall not at present revert; but we must be permitted to qualify, by supplying the remainder of the truth, the judgment which Mr. Taylor pronounces, when he affirms of Lord Byron, 'that his conception of a hero is an evidence, not only of scanty materials of knowledge from which to construct the ideal of a human being, but also of a want of perception of what is great or noble in our nature. His heroes,' he proceeds, 'are creatures abandoned to their passions, and essentially, therefore, weak of mind. Strip them of the veil of mystery and the trappings of poetry, resolve them into their plain realities, and they are such beings as, in the eyes of a man of masculine judgment, would certainly excite no sentiment of admiration, even if they did not provoke contempt.' Now the heroes of Lord Byron are not indebted, for the degree of admiration they still excite, to what is contemptible in them, but to their really possessing *some* elements of character which, in all times and under all circumstances have commanded the admiration of men—a strong and predominant purpose, an unconquerable will, and a self-control so far as respects all subordinate feelings; not, indeed, the self-control of the Stoic, determined that no feeling but that of duty shall ever govern him, but that of the man of one ruling passion,

ambition, pride, or revenge, who allows of nothing further or beyond to shake or to divert him. These are the very elements which, aggravated to their fullest extent, have given that charm to the character of Milton's Satan which some have lamented, but which no one has denied. That we sympathize with such qualities as these, though divorced from goodness, is too old a fact to be disputed; and though Byron, as a moralist, made but an ill selection of materials for his hero, yet a writer anxious only to force the attention of a languid audience could hardly for that one purpose have chosen better. * Lord Byron's powers are on the eve of being depreciated as much as at one time they were over-estimated. That misanthropy which added so greatly to his popularity could not, from the nature of things, present a permanent attraction. To think ill of all the world, and of ourselves as part of it, may be a delectable novelty, a fashionable caprice, but, like other caprices, must necessarily be inconstant. To think well of ourselves at least, whatever judgment we pass on the rest of mankind, must continue the prevailing custom. Besides which, it was soon discovered that the world was not large enough for more than two or three misanthropes at a time. The competitors for the gloomy honours of that character began to mock each other out of the field; for, not finding their own claims respected, they were not willing to sanction those of others. The tide has turned in favour of good-nature. Byron's misanthropy, which threw so attractive a charm over his poetical paintings, is the colouring that has first faded and decayed; so that they at present appear stained and defaced by that which lent them their original glow.

But to proceed to 'Philip Van Artevelde.' It is a more agreeable task to illustrate the peculiar excellence which any writer, especially a contemporary, has exhibited, than to insist upon his blemishes or defects. If, indeed, an author manifestly possesses powers of a certain description, if he has chosen a theme suited to their development, and has pursued it in consistency with, and in steady reliance upon, his natural strength, have we any right to complain that certain other powers are not equally conspicuous? We think not. When, therefore, we say that the author of 'Van Artevelde' has offered to his reader, in pure and forcible language, a noble subject for his reflection, but that he has not presented him with much new or vivid delineation either of the depths, or the delicacies, of human feeling; we note this, not in the way of blame, but as characterizing the book. The violence of anger, or the tenderness of grief, are topics which our author does not court. It is in the vigorous and poetic expression of sterling thought, or of feeling still under the control of reason, that he excels; and this is merit of no ordinary description.

The work having been some time before the public, and being probably familiar to our readers, we shall spare ourselves the task of unravelling its plot. To those who have not read the poem it must suffice to be told, that the scene lies in the Low Countries, and that the time of the action is the fourteenth century, when the towns of Flanders bore with impatience the sovereignty of their proud hereditary rulers. In the contest between the rising spirit of independence, fostered by industry and commerce, and the old law of feudal obedience, Philip Van Artevelde takes part with the former, and steps forward the champion of the towns against the nobility. Elected, in the first place, Captain of Ghent, he attains to the sway over many of the Flemish cities under the title of Regent of Flanders. Assisted, however, by the chivalry of France, the Earl of Flanders succeeds in regaining his dominions by the conquest and death of Artevelde. The drama is divided into two parts. The first represents Van Artevelde winning his way through the severest trials to the highest pitch of his fortune. The second part presents a melancholy contrast: it exhibits the Regent, at its commencement, in the height of his prosperity, and portrays his decline, and fall, and death. It is an autumnal and wintry scene.

The character of Van Artevelde is sustained throughout with great distinctness, with unabated energy, and with perfect congruity. The steady vision of the poet has kept it in that even poise of bold resolve and conscientious intention, which it was his purpose to exhibit. It demands our sympathies, though it displays but little passion; and it arrests the attention, and stands forth in high relief, without even that prominence of any one ruling desire which so often gives a cheap and easy distinction to the dramatis personæ of a play. Philip is a full and completed mind, displaying as much of calm reflection as could co-exist with a stirring life, as much of personal ambition as could unite with patriotism, and as much of daring and unflinching resolution as could be reconciled to humanity. His earlier years have been occupied with philosophical speculations, and he enters into life with little admiration for the customs and opinions of mankind; but, having apparently no hope that the world will ever undergo any signal reformation, he contents himself with the resolution to perform his own part in it with manfulness. To us also it appears that the character bears a fit relation to the country and climate in which it figures. It would hardly endure transplanting to the sunny shores of Italy. It grew on the same soil with our William III.

The following extract from a speech of Artevelde presents us with a key to his character, and with a fair specimen also of the

style of the poem. He is addressing the woman whom he has long loved, and to whom he has now first declared his love.

‘Be calm·

And let me warn thee, ere thy choice be fix’d,
What fate thou may’st be wedded to with me.
Thou hast beheld me living, heretofore,
As one retired in staid tranquillity.
The dweller in the mountains, on whose ear
Th’ accustom’d cataract thunders unobserv’d,—
The seaman who sleeps sound upon the deck,
Nor hears the loud lamenting of the blast,
Nor heeds the weltering of the plangent wave,—
These have not lived more undisturb’d than I.
But build not upon this: the swollen stream
May shake the cottage of the mountaineer,
And drive him forth; the seaman, roused at length,
Leaps from his slumber on the wave-wash’d deck;
And now the time comes fast when, here in Ghent,
He who would live exempt from injuries
Of armed men must be himself in arms.
This time is near for all—nearer for me.
I will not wait upon necessity,
And leave myself no choice of vantage ground,
But rather meet the times where best I may,
And mould and fashion them as best I can.
Reflect, then, that I soon may be embark’d
In all the hazards of these troublous times,
And in your own free choice take or resign me.’

We add, as a favourable specimen of our author, a part of Adriana’s reply.

‘I’ll follow thee through sunshine and through storm;
I will be with thee in thy weal and woe;
In thy afflictions, should they fall upon thee;
In thy temptations, when bad men beset thee;
In all the perils which must now press round thee;
And—should they crush thee—in the hour of death.
If thy ambition, late aroused, was that
Which pushed thee on this perilous adventure,
Then I will be ambitious too: if not,—
And it was thy ill fortune drove thee to it,—
Then I will be unfortunate no less.
I will resemble thee in that and all things
Wherein a woman may: grave will I be,
And thoughtful, for already it is gone—
The boon that nature gave me at my birth—
My own original gaiety of heart.
All will I part with to partake thy cares,
Let but thy love be with me to the last.’

This passage, so beautifully expressive of devotedness, gives promise of more *character* than the little we see afterwards of Adriana realizes. The conception is not followed up.

The rest of the dramatis personæ are all judiciously conceived, but they are not all executed with equal success. Thus the spoiled child Clara, self-willed, but capable of the noblest sacrifices, and full of generous feeling, a sort of Beatrice, but with stronger affections, is manifestly well designed; but the wit and sprightliness of the character have sunk at times into coarseness and pertness. Her jests, near the commencement of the piece, on the page's beard, remind us of the dull, and laboured pleasantry of some of the elder dramatists, with whom a certain stock of topics was to be allowed to pass for wit, whenever wit was wanted for the conduct of the drama. Such jests are not taken from real life; they are the property of the playwright, and belong as exclusively to the boards of the theatre as its pasteboard trees and cottages. We must do Clara the justice, however, to say that she improves in her wit as the play proceeds, and in the scene with her lover D'Arlon she rallies him upon his wound in the following rather clever passage, though its diffuseness, occasioned solely by its being thrown into verse, brings strongly into relief its natural unsuitableness for that medium. Adriana had inquired after his hurt, but Clara, who loves talking, interposes.

‘Hold! hush! I’ll answer for thee. Merely a scratch;
A scratch, fair lady; that, and nothing more.
It gives us no concern; ’twas thus we got it:
Riding along the streets of this good town,
A score of burghers met us, peaceful drones,
Saying their prayers belike:—howe’er that be,
The senseless men were wrapp’d in such abstraction
They heeded not our lordship; whereat we,
Unused to such demeanour, shook ourselves,
And prick’d them with our lance. A fray ensued,
And lo! as we were slaying some fourteen
That stay’d our passage, it pleased Providence,
Of whom the meanest may be instruments,
Thus gently to chastise us on the arm,
Doubtless for some good cause, though what, we know not.’

The character of Sir Fleureant is ably imagined. This man, for the sake of what he deems his honour, commits an act of the most consummate treachery and ingratitude. He has received, it seems, and not altogether undeservedly, a blow from Van Artevelde, and this cancels in the knight all sense of obligation for the pardon he had received, and obliterates all the feelings of virtue. He contrives to regain the confidence of Artevelde, ac-

companies him to his last battle, and there stabs him into the back. All this we think deserved to be brought more distinctly before the reader than has been done in the drama, especially as the final catastrophe is brought about by the treachery of this Sir Fleureant. Indeed the conclusion appears to be somewhat hurried up, and a rapid dispatch of the remaining personages, for whom some destiny was to be provided, seems to have been as much a stroke of mercy for the writer as for the unfortunate persons themselves.

Van Den Bosch, the other leader of the insurgent Flemings, is just what he should be, and talks just as he should talk. The language of the common people, of the burghers, the soldiers, the ruffians, is always appropriate; and great skill is displayed in the management of those troublesome subordinate parts of the dialogue, which are necessary only to tell the story, and in which, though a writer can gain no credit, he may easily expose himself to ridicule.

The manners and political feelings of the times are faithfully portrayed. While the virtues of chivalry are not without their representative in the brave D'Arlon, the headstrong, narrow, and tyrannical spirit of feudalism is severely exposed. The spirit of chivalry ameliorated the temper of the barons in their intercourse with each other; if it affected their demeanour towards their vassals, it must have been in a very indirect and circuitous method. We lift the vizard of knighthood, and we discern beneath it the cruel features of feudal tyranny. The discovery can startle those only who have fancied that the tournament and banquet of a festal day could do more to mould the characters of men than the whole course of their daily lives. The sort of humanity which barons bold were famed for is well satirized in the following passage. A citizen of Ypres is speaking. He has told how, overtaken by a storm, he had been hospitably received at a cottage,

‘By a buxom dame

That smiled and bade me welcome, and great cheer
She made me, with a jocund, stirring mien
Of kindly entertainment, whilst with logs
Crackled the fire, and seemed the very pot
To bubble in a hospitable hurry
That I might sup betimes. * *

‘VAN WIELK.

‘Why, that was charitable; that was kind;
That was a woman of the good old times.

‘VAN STOCKENSTROM.

‘Now mark, Van Whelk; now listen, Mistress Voerst
The seething pan upon the fire contained

Six craw-fish for my supper : as I stood
 Upon the ruddy hearth, my unlaced thoughts
 Fallen in a mood of idle cogitation,
 My eyes chanced fix upon the bubbling pot :
 Unconsciously awhile I gazed, as one
 Seeing that sees not ; but ere long appeared
 A bubbling and a labouring in the pot
 More than of boiling water ; whereupon
 Looking with eyes inquisitive, I saw
 The craw-fish rolling one upon another,
 Bouncing, and tossing all their legs abroad
 That writhed and twisted, as, mixed each with each,
 They whirled about the pan. God's love ! quoth I,
 These craw-fish are alive ! Yes, sir, she answered,
 They are not good but when they're sodden quick.
 I said no more, but turned me from the hearth,
 Feeling a sickness here ; and inwardly
 I cried heigh-ho ! that for one man's one supper
 Six of God's creatures should be boiled alive.

‘ WOMAN.

‘ Lord help us, sir ! you wail about the fish
 As they were Christians.

‘ VAN STOCKENSTROM.

‘ Look you, Mistress Voorst ;
 The king will be as kind to Louis Mâle
 As this good wife to me : of us mean folk
 He will take count as of so many craw-fish ;
 To please his cousin 'twere to him no sin
 To boil us in a pot.’

The poem is replete with topics of reflection. Every incident is a study, and every sentiment is expressed advisedly. We were pleased with the manner in which the villain Gilbert Matthew is dismissed from the stage. We are quite willing that he should go to the scaffold with all imaginable bravery or stolidity of mind. What care we how a man dies, unless a brave end be the sequel of a noble life ? We shall not grudge to knaves or madmen the power to wink close when the axe falls upon them. We trace also a good moral, as it is sometimes termed, in the difference with which Artevelde regards his political cause at the commencement and at the close of his career. At a time when he relies entirely upon himself, and has an utter confidence in the integrity of his own purpose, he forms but a moderate estimate of the advantages that must result from the triumph of his cause. Enough for him that it is plainly the best.

‘ True, to make choice of despots is some freedom,
 The only freedom for this turbulent town,
 Rule her who may.’

It is when shaken in his self-reliance, and compelled to look without himself for the grounds of his confidence, that he aggravates the merits of his cause, declares war against the chivalry of Christendom, and seeks in the ardour of a political enthusiast that support which he had formerly found in the consciousness of personal integrity. But if we were to follow in this manner the track of our author's thought, we should never end.

Speaking in his preface of Lord Byron, Mr. Taylor notes it as one disadvantage which that poet laboured under, 'that no writer of the age had less of the benefit of adverse criticism.' Of this benefit we must not let our author be entirely deprived.

There are certain phrases and turns of language adopted by modern playwrights from the elder dramatists, which in them were correct representations of the conversational speech of their times, but which, in our day, serve only to recall the manner of those writers. These give to the composition in which they appear the air of a studied theme; the dialogue no longer presents us with an imitation of the language of living men, but of the style of a dead author; it becomes a copy of a copy. This error has originated in not perceiving the different impression which this ancient style of speech makes upon our ear when read in an ancient author, and when retailed to us by our own contemporary. In the first case it derives a charm from that very antiquity which renders it altogether out of place in the second. The borrowed expression deserts, as it were, the service of the modern author, and brings to mind the pages from which it was drawn. We shall be told, perhaps, that certain forms of speech, though unusual in every other species of composition, have become naturalized in the drama. We answer, let them be *denaturalized* as speedily as possible, and let the language of the drama be such as to remind us of no particular age, but be the English of all times. Mr. Taylor has not quite extricated himself from this erroneous sort of imitation of his ancient predecessors. Among many instances we select only the following :

'Kind sirs, I thank you; you *shall* say, so please you,
That I am not of them that evermore
Cry out for war, and having not a hope
Of the Earl's mercy, act as desperate men;
For *were* I sure the multitude met pity,
It would not then behove me to stand out
For my particular ransom,—though, to say truth,
The Earl *should* do himself but little service
Were he to deal too hardly with us all.'

Some few occasions there are where our poet has fallen into that error which he would most unsparingly reprehend—obscu-

city, or rather the absence of any discoverable meaning. Neither he nor our readers will quarrel with us for the instance we shall select of this failing; for to reach the two lines of obscurity we must pass through a passage of very pleasing poetry.

Act IV.—Scene 1.

The platform at the top of the steeple of St. Nicholas' Church.

Time, day-break.

* ARTEVELDE (*alone*).

'There lies a sleeping city. God of dreams!
What an unreal and fantastic world;
Is going on below!
Within the sweep of yon encircling wall,
How many a large creation of the night,
Wide wilderness and mountain, rock and sea,
Peopled with busy transitory groups,
Finds room to rise, and never feels the crowd!
If, when the shows had left the dreamer's eyes,
They should float upward visibly to mine,
How thick with apparitions were that void!
*But now the blank and blind profundity
Turns my brain giddy with a sick aversion.'*

Now the sickness here spoken of cannot be presumed to have relation to the physical effects of his elevated situation; and why 'the blank and blind profundity,' simply because it is blank, and not 'thick with apparitions,' should occasion this sickness and aversion, we are at a loss to understand.

But that which, in the administration of critical justice, we charge upon the author of 'Philip Van Artevelde' as a palpable fault—as a burden lying full upon his shoulders,—is the manner in which he has dealt with the supernatural. He seems to have thought that because Froissart related a certain miraculous appearance, this half historical ground was quite sufficient apology for introducing it into his poem. Accordingly it takes its place in the drama in the same matter-of-fact style as it figures in the chronicle. Now Mr. Taylor has not the same audience as Froissart. In these days miracles are not reckoned amongst the customary occurrences of life; and he cannot, therefore, be allowed to introduce them, as he would the description of a wintry scene or a barren moor, as mere accompaniments to the imagination, in aiding it to figure out the declining state of his hero. If we are called upon to believe these supernatural appearances, we require that they should answer some end; if we are to explain them as the result of excited imagination, we look to have a state of mind presented to us from which such visions might probably proceed. Neither of these demands has Mr.

Taylor satisfied. The action of his drama is not at all affected by these miraculous apparitions, and Philip Van Artevelde is the very last person to convert into a prophet or a seer. Nor can he plead the credulity of the age. His philosophic hero is not a Dutchman of the fourteenth century; but suppose that he were, and that he shared all the superstitious errors of his time, yet no man, let him have lived at whatever period, can have framed visions to himself unless his imagination were in a state of excitement, of which there are no traces in the poem before us. If we thought that our authority would be submitted to, and no demur made to our jurisdiction, we should forbid Mr. Taylor from all dealings with the supernatural.

We have a few remarks to make on the *form* of the composition. 'Philip Van Artevelde' is styled 'a Dramatic Romance,' and is described in the preface as 'an Historical Romance, cast in dramatic and rhythmical form.' It is an attempt, in some measure, to compete with the historical novel. Against this we protest. The charm of the novel consists in minuteness of detail; it is necessary to the perfection of the drama that the incidents need as little detail as possible. The dramatic writer, whether his subject be the grave or the comic, should select those materials only which will bear and deserve elaboration; nor can he, with his cumbrous machinery, follow the rapid step and diverging paths of the novelist. How wearisome are those dull hindrances which present themselves in the shape of long stage-directions! Half a page of italics, a sort of inventory of names and places, must be got over to the understanding of, perhaps, a brief dialogue. Here the natural order of things is just reversed. What would have been the main subject of interest had the story been told in its most effective manner, is delivered to us in the fewest and tamest words that can be selected, while the conversation, which might well have been spared, is obtruded on us in all its unavoidable baldness. The purely dramatic form is well adapted to display the inward workings of a few minds, but is the worst that could be chosen for the purposes of a complicated narration of external facts. All that portion of 'Artevelde' where the boy-king of France, with his uncles Bourbon and Burgundy, is introduced, would have been more effective in a prose narrative. The ingenuity and labour bestowed in reducing it into dramatic shape are surely misapplied.

In reading a drama we generally carry with us some indistinct association of a stage, on which a series of actions is represented nearly in the order of time in which it occurred; and Mr. Taylor somewhat shocks this prejudice when he takes us back, as the novelist does at the commencement of a new chapter, to a pre-

vious period in the narrative, and thus brings up his story to the point he last left it. We also recalcitrate a little at being drawn up (as the reader has seen in the extract we presented to him) to the top of a steeple. And mark what inconsistencies our author has fallen into by adopting an order of narration better suited to the novelist. Artevelde hears from this elevated station the trampling of a horse. He has time and leisure to hold a long conversation, full of general reflections, with Van Den Bosch, to go down to his house and there give the necessary orders, before this horseman, who is suspected to be a herald from the Earl of Flanders, can approach the gates of Ghent. Moreover, Van Den Bosch, who had set his heart on the murder of this herald, and who has rushed from the top of the steeple fast upon the heels of Artevelde, seems to have been so much the slower of the two as to have allowed Artevelde to close a door upon him at the end of the staircase. This chase down the steeple stairs, which the reader must figure to his mind in order to piece out the action, cannot be commended for its dramatic propriety.

Let us not, however, conclude this notice with any other than the sentiment of admiration with which we opened it. Of all the candidates for dramatic distinction who have lately stepped before the public, there is none who has earned so large a portion of our esteem as the author of 'Philip Van Artevelde.'

D.

ART. VIII.

ORANGE CONSPIRACY.

1. *Mr. Hume's Speech in the House of Commons, Feb. 23, 1836.*
2. *Orange Correspondence in the Appendix to this article.*
3. *In the King's Bench. On rule for criminal information for Libel, by Lieut.-Col. Fairman, against Haywood. Brief of Affidavits.*
4. *Report of Committee on Orange Institutions in Great Britain and the Colonies. September 7, 1835.*

IN the last number we denounced the Orange institution in Great Britain as an illegal society. In the debate on the Orange question Lord John Russell reluctantly acknowledged that our opinion was held by some of the most eminent lawyers. Without having obtained such an opinion, without being convinced that the evidence required to substantiate our position could be produced in a criminal court, we should neither have hazarded the assertion, nor have recommended the proceedings, which we did. Every thing, we are informed, was ready for the

trial: the most eminent counsel were retained; a consultation was fixed for the day after the debate; the indictments^a were drawn up; considerable sums had been expended in obtaining evidence; letters in the hand-writing of the parties to be prosecuted were in the possession of those men, who were determined to have brought during the ensuing week Colonel Fairman, the Duke of Cumberland and their titled friends before the Central Criminal Court, then and there to answer to their country for their misdeeds. The object of these persons was not vengeance, but to annihilate the Orange societies. This end was obtained; all proceedings were suspended. Every thing connected with these societies is now a matter of history. It may not, therefore, be uninteresting to our readers to know the means by which the evidence and the documents to which we shall refer were obtained, and the facts which are proved thereby.

^a Some difficulty was found in determining the exact title of H. R. H. We insert the following opinion of the special pleader to whom the drawing up of the indictments was intrusted, in case it may be necessary hereafter to any of our readers to present a bill of indictment against a member of the royal family, for an error in respect to the title would vitiate the indictment:

‘Then as to the estate and degree of the Duke of Cumberland, it seems to me, from all the authorities that I have been able to find, that he should be called in the indictment “Ernest Augustus, Duke of Cumberland and Tiviotdale;” *supposing*, indeed, that such are his Christian names, and that such is his *ducal* title, of which, indeed, I have at present no better evidence than Delbert’s Peerage, nor do I know of any better that can be got. My reasons for thinking that he should be so named in the indictment are these: it appears from Lord Coke’s Exposition of the Statute of Additions in his Second Institute, p. 666, that when a man has had conferred on him, by writ or by letters patent, (which last I take it was the mode of creation in this defendant’s case,) a title of honour, such as Duke of, &c., he is to be called by his Christian name, and by the name of his dignity which stands in lieu of his surname; and it also there appears (p. 669), that if one man has many titles, he is to be then called by the most worthy of them, for the purposes of the Statute of Additions: (see also Jenkins’s Centuries, 5 cent. cas. 842). In the case of the present defendant, that would be the title of Duke, for there could be none higher but that of Prince, which, although it is frequently prefixed to his name, is not any legally recognised title of his; for in the same Institute of Coke, p. 666, in giving the different estates and degrees of the greater nobility against whom original writs may be brought, he mentions dukes generally, but not princes, nor any prince but the Prince of Wales, and him he does expressly mention. I conceive, therefore, that there is no such title as Prince belonging to any of the King’s sons as such, except to the eldest, and with this agrees what is said by Selden (Selden’s Titles of Honour, p. 630, and the following pages) of the original creation of the King’s eldest son to be Prince of Wales, and the King’s sons generally. Although he is generally called Duke of Cumberland, yet if, as appears by the Peerage, the Dukedom is of Cumberland and Tiviotdale, why then the omission of either name would be bad, as appears from a case in “Levinz’s Reports,” where the omission of the words “et Scotia” in the title of the King in a writ caused it to abate; on the other hand, if it is at all thought that Prince does constitute any part of the real title and name of the Duke, the insertion of it will not, I think, vitiate the indictment, as it appeared, from some old cases out of the year books, and some other old authorities given in “Viner’s Abridgment, 2 Title, Additions O,” that *surplusage of addition* does not vitiate.

“ (Signed) _____.

“Temple, February 1, 1836.”

In our last article we demonstrated from the rules of the society and from the other evidence produced before the Committee, that the Orange institution in Great Britain was illegal. In order to prove this position to a jury, the chief difficulty was to obtain evidence which could be produced in a criminal court. The following is the manner by which it was obtained. An Orangeman of the name of Haywood in the month of October last accused the confidant of the Duke of Cumberland, Colonel Fairman, of having uttered certain expressions of a treasonable nature during his mission to Sheffield and elsewhere under the warrant and sign manual of his Royal Highness. Fairman, at the instigation probably of the Orange chiefs, filed a criminal information against Haywood. Amongst the letters printed in the report of the Committee, there are two to Lord Londonderry,^b and one to the Duke of Gordon.^c Various expressions in these letters are of such a description as to warrant the conclusion that, if Fairman presumed to write in similar terms to noblemen who are supposed to be of such undoubted loyalty as the above two, it was by no means unlikely that to those, who were in the same sphere of life as himself, he might have made use of still stronger expressions. It was determined, therefore, to enter into communication with Haywood. The result was, that certain parties undertook his defence, and caused Serjeant Wilde, Mr. C. Austin, and Mr. C. Buller to be retained to show cause against the rule.

It now quickly appeared that abundant evidence could be produced to prove the illegality of the Orange institution as far as Colonel Fairman was concerned. Members of the grand lodge were likewise found, who could swear that they had seen the Duke of Cumberland, the Duke of Gordon, Lord Kenyon, &c., at the meetings of the grand lodge, and had heard these noblemen there holding communication with Colonel Fairman on subjects connected with the Orange institution. Affidavits to this effect are in the possession of our friends. Moreover, letters from Lord Kenyon in his own hand-writing to Colonel Fairman on Orange affairs, and an Orange warrant signed by the Duke of Cumberland, were obtained. Thus the chain of evidence was complete.

It was now determined first to attempt to quash the criminal information on the plea that Colonel Fairman belonged to an illegal society, and then, fortified with this decision, to proceed against him and the Duke of Cumberland in a court of justice. Most unfortunately Haywood died a few days before the cause would have come on. He was a very poor though respectable

^b Appendix to present Article, Nos. 12 and 13. ^c Appendix to Art., No. 15.

man, and of excitable temperament. Attacked by a powerful party, and not being aware at first that any persons would undertake his defence, he burst a blood-vessel through agitation, which some weeks afterwards occasioned his decease. His complete vindication may now be found in the letters appended to this article. It was then determined, in consequence of the advice of Mr. Hume, to postpone all criminal proceedings till the motion of which Mr. Hume had given notice with regard to the Orange institution had been discussed by the House of Commons, as the House would otherwise refuse to entertain a question which was then pending in a criminal court. It was likewise settled immediately to follow up the attack on the illegality of the institution by going before the tribunals of justice. The same day that this motion came on, Mr. Hume unexpectedly obtained possession of some of the most important of those letters which he produced in the House of Commons. The consequences of this exposure were, that not one word was uttered in defence of the English institution—not one voice raised in defence of its leaders. Some honest but misguided men attempted to exculpate themselves and the Irish institutions, but, condemned by all parties, with loud execrations from one side of the house, with silent contempt from the other, it was decreed that the society should perish. Such unexpected and perfect success rendered all further proceedings at present unnecessary.

To the indefatigable exertions of Mr. Hume, the ever undaunted champion of the people, the honour of this blow so important to Ireland is to be ascribed. Mr. Hume has kindly favoured us with copies of the original documents, which he has likewise allowed us to inspect. The most important of these letters we have caused to be printed in an appendix to this article. Most of them were written in the years 1832 and 1833, during which period Fairman was sent by the Duke of Cumberland on various tours to different parts of England, Ireland, and Scotland.

The first^d letter in the appendix is a fragment of what seems to have been intended as a letter to the Duke of Cumberland; the second^e is a letter addressed to the editor of the 'Morning Herald.' The former appears to have been written about the same period as the latter, viz. (April 6, 1830); they both refer to the illness of George IV. and his expected death. The latter speaks of a regency as probable for the same reasons as, according to the writer, the present king was deprived of the office of high admiral. It is well known that in order to justify that step the party then in power, viz. the Tories, spread about the falsest reports of the mental derangement of the present monarch. These letters refer likewise,

^d Appendix to Art., No. 1.

^e Appendix to Art., No. 2.

in case of the death of the present monarch William IV., to a regency under the Duke of Cumberland, and express an apprehension of the ambitious designs of the Duke of Wellington. It must be well remembered that immediately after the death of the late king a most violent debate took place in both houses of parliament, which completely destroyed the fictitious alliance between Whigs and Tories. The latter wished to dissolve parliament immediately, the former to settle first the question of the regency. This subject was consequently one much discussed in all the political circles. Various reports more or less unfounded were in circulation. It was said that the Duke of Wellington wished to place the regency in the hands of a commission, of which he would have been one. It was rumoured likewise that there was a strong party who sought to make the Duke of Cumberland regent. Conversations occurred at the Travellers' Club, directly pointing to this object; and loyal persons in consequence considered themselves bound to devise such means and to take such steps as would frustrate so mischievous a plot. These dissensions amongst the enemies of the people, (which, it is well known still exist,) probably led to the easy and satisfactory settlement of the question by the nomination of the Duchess of Kent as regent.

If there were any foundation in the rumours just mentioned, it is evident that the Orangemen were the only persons in this nation, who could have thought for one moment of exalting the Duke of Cumberland, who could have dreamt of such a project, or listened to it with satisfaction, even during the hours of temporary derangement. This perhaps may explain the letters to which we have referred—the mention made of the ‘paramount claims’ of the Duke of Cumberland, and that ‘the second heir presumptive is not alone a female, but a minor,’—the apprehension expressed on account of the ‘wild ambition’ of some one, (evidently the Duke of Wellington,) and the bitter terms in which his royal highness’s ‘trusty and well-beloved’¹ Fairman writes of that nobleman, whom he accuses of ‘aping the coarseness of a Cromwell, thus recalling the recollection to what had far better been left in oblivion.’²

In this letter, which is addressed to Fairman’s friend Sir James Cockburn, Fairman states that ‘by the last returns the numerical strength (of the Orange party) exceeds 175,000 men, and is fast augmenting;’ that the Orangemen in the metropolis ‘would assemble’ at his ‘summons,’ and ‘under his command they would place themselves for putting their principles to the test; and he has strong reasons to be of opinion that before long there will be some occasion.’ This letter, according to Fairman, is one of a series of essays written by him to Lord Kenyon, on

¹ Vide *Itin. Warrant*, No. 20. B.

² Appendix to Art., No. 3.

the noble lord's own invitation.^h These essays, which are in the possession of Mr. Hume, were chiefly written during the latter part of 1831, and mainly refer to the Reform Bill.ⁱ Lord Kenyon told Fairman that some of these epistles were shown to his royal highness their grand master, who kept them by him, and who would not overlook them.^k From the report^l of the Committee it appears that about this period Fairman had several conferences with his royal highness at Kew, one on 21st December, 1831, another on the 2d January, 1832, with reference to the latter Fairman says in the copy of a letter to Lord Kenyon, that he waited on the Duke of Cumberland, who received him most graciously, and with whom he had a conference which lasted upwards of an hour.^m Several other conferences at Kew are stated to have taken place in February.ⁿ Fairman seems to have had about the beginning of April a consultation likewise with Lord Wynford with regard to the Duke of Cumberland, with which (according to Lord Kenyon) Lord Wynford was highly pleased.^o

These essays and confidential communications were probably the means by which the friendship^p and affection of his royal highness, &c. were obtained, and these nobles were induced for years to place such entire reliance in the integrity and other qualities of their 'well-beloved brother.'^q By some similar means, according to his own account,^r Fairman had formerly gained the confidence of the Duke of York; to whom, he says, he was in the habit of making the most important communications under the assurance of the strictest secrecy, and on condition that the sources

^h Appendix to Art., No. 3.

ⁱ Besides the essays on the physical strength of the Orange party, and on Reform, there are, amongst the letters to Lord Kenyon, two (Nos. 7 and 8) which refer to the necessity of establishing a newspaper, and in which the most lavish abuse is heaped upon the 'Times.' Colonel Fairman says, by the formation of a Conservative Club, as was suggested by him a long time ago, a sufficient fund might be created for this purpose. Lord Kenyon, in reply, states that the 'Age' newspaper is inclined to establish a morning paper on those public principles which it has advocated; and though he does not quite approve of the looseness and scurrility of the print in question, yet the noble Lord informs Fairman that he does not admit 'that the private character of public men ought not to be considered sacred against all attack.' The 'Age,' it is well known, is taken in chiefly by the clergy and the nobility, and, notwithstanding its infamous obscenity, it was proposed to make it the organ of the High Church and Orange party, and thus it would have filled the station which now belongs to the 'Times.'

In April 1834, the period when the 'Times' began to attack the ministry on the occasion the Poor Law Bill, Lord Wynford writes, that H. R. H., Lord Kenyon, and himself discussed the propriety of purchasing some newspaper which Fairman had mentioned, and that there were many reasons against so doing; something however, he thought, would be done by the Carlton Club. (No. 49.)

^k Appendix to Art., No. 5. B.

^l Appendix to Report, p. 90.

^m Appendix to Art., No. 8. B.

ⁿ Appendix to Report, p. 90.

^o Appendix to Art., No. 9.

^p F. says the D. of C. used to term him 'my good friend.' Ev. 853.

^q Vide Itin. Warrant.

^r Appendix to Art., No. 1.

of his information should never be inquired into: thus he detected several conspiracies against the house of Brunswick, one more especially in 1809, (that of Mrs. Clarke against the Duke of York is the only one in the year referred to,) whether by 'apocalyptical gift,' 'intuitive light,' or by what other means (he says) is nothing to the purpose. Thus he seems to have been half spy, half madman, withal possessing that energy so valuable in hazardous enterprises to the chiefs of a party as often to excuse in their eyes the want of all judgment; in his pecuniary circumstances excessively distressed,* twenty years' an Orangeman,† and in that institution which truly contained all classes of society, this man was selected and distinguished by the chiefs as their fitting agent; confidant, friend, and companion.

He was unanimously elected on the 19th April, 1832, to the most important office in the society, that of deputy grand secretary, (Lord Chandos was secretary). He was nominated by the Duke of Cumberland, seconded by Lord Kenyon, and supported by the Duke of Gordon,‡ and on his election he was subsequently congratulated by his royal highness. And it is stated in the circular to the Orangemen, describing these proceedings, that Colonel Fairman contemplated making a tour of inspection.¶ This tour, however, does not seem to have been settled before the next meeting of the grand lodge, 4th June, 1832. Lord Wynford in May writes to Colonel Fairman about some scheme of his royal highness, and appoints a meeting in the 'deputy speaker's room in the House of Lords at four o'clock,' where the noble lord says he 'shall be happy to see' Fairman. In the circular of the 4th June it is announced that the matter having been maturely weighed, a special commission will be granted by the Duke of Cumberland to Colonel Fairman.¶ The powers were so vast that much deliberation seems to have been required. On the 22d June Lord Kenyon writes to Fairman saying, 'I trust you will be able soon to settle with our illustrious grand master on the subject of your

* A petition was presented to Lord Palmerston, then secretary-at-war, by a person of the name of Ives, in which he prays Lord Palmerston to cause Captain Fairman's half-pay to be suspended, in order to oblige Captain Fairman to 'discharge a debt which has been due to the petitioner above four years, and although frequently applied for, has never been noticed by Captain Fairman, but *unjustly and unfairly* he has deprived the petitioner of any redress' 'by giving an address, as will appear by the enclosed, *where he has no credit, nor even was known.*' Fairman brought an action against Ives for a libel, in publishing the above petition.—Plea, not guilty. The Lord Chief Justice (Abbott) told the jury, that if they thought that the petition contained only a *fair and honest statement of facts*, according to the understanding of the party who sent it, they ought to find a verdict for the defendant. Verdict for the defendant.—*Barnewall and Alderson's Reports*, vol. v. p. 642.—1822.

† Fairman's Affidavit.

‡ Appendix to Report of Comm., p. 23.

¶ Appendix to Report of Comm., p. 25.

¶ Appendix to Art., No. 10.

¶ Appendix to Report of Comm., p. 28.

tour of inspection. He was quite willing to sanction it if you will draw him up a form adapted to the occasion for "sanctioning it." The sanction was not given till the 13th August;* Fairman went to Kew for this purpose on the 12th, but the Duke could not hold a conference^a with him till the next day,^b (this visit cost the society 16s. 6d.)^c Invested with extraordinary powers, confided in by the Duke of Cumberland, Fairman soon departed on his expedition. What objects Fairman thought he was intended to pursue, what were the feelings with which he was animated, will appear from the following extracts from letters written about this period.

Before leaving London Fairman wrote to Lord Londonderry, 29th July, 1832. He says, 'In a conference he lately had the honour of holding with the Duke of Cumberland, (this is not the conference above mentioned, but some other one,) his royal highness had informed him* he had written to Lord Londonderry on the subject of the Orange institution, and, in consequence, he should be *more explicit* than perhaps otherwise he should have been; he mentions that he had some communications with Mr. Wright, Lord Londonderry's agent, whose opinions he presumes are the same as the noble lord's; he recommends the establishment of Orange lodges among the pitmen, and says, 'if we prove not too strong for such a government as the present, such a government will prove too strong for us.' 'Hence the necessity of our laying aside that non-resistance, that passive obedience, which has hitherto been religiously enforced to our own discomfiture: by a rapid augmentation of our physical force we might be able to assume a boldness of attitude which should command the respect of our jacobinical rulers.' In a letter written a few days afterwards, he adds, that he 'has omitted to mention that we (who?) have the military with us as far as they are at liberty to avow their principles and sentiments, but since the lamented death of the Duke of York every impediment has been thrown in their way of holding a lodge.^d He apologizes for writing to the noble lord, but did so because he understood that the Duke of Cumberland had 'communicated with his lordship on this subject.' Lord Londonderry in acknowledging the receipt of these letters said, 'I would most willingly embrace every opportunity and do all in my power to espouse the cause and establish the institutions you allude to in this part of the kingdom;'^e and adds, 'I have had

* Appendix to Art., No. 11. * Vide Itin. Warrant, No. 20. B.

^a Appendix to Art., No. 18.

^b Appendix to Art., No. 19.

^c Appendix to Report of Comm., p. 81.

* Lord Londonderry acknowledged the receipt of this letter in the House of Lords. It is printed in our Appendix, No. 12.

^d Appendix to Art., No. 13.

^e Appendix to Art., No. 14.

a full conversation and communication with Lord Kenyon on all this matter, who has been in my house these last two days, and I have no doubt he will convince his royal highness, as well as yourself, that the present moment is not the time when the object can be forwarded. I will lose no opportunity of embracing any opening that may arise.' It appears from Lord Londonderry's speech in the House of Lords, that he had never directly received any communication from the Duke of Cumberland as Fairman supposed, but according to the above letter it was through Lord Kenyon that he was aware of his royal highness's wishes.

In nearly similar terms Fairman replies (11 August, 1832) to an invitation to Gordon Castle from the Duke of Gordon. He informs the Duke that he has lately had a conference with the Duke of Cumberland, and had received letters from Lords Kenyon, Longford, Cole, and Londonderry. He says, 'by our next meeting we shall be assuming, I think, such an attitude of boldness as will strike the foe with awe; but we inculcate the doctrine of passive obedience too religiously by far:' and he states that if any of his grace's friends would wish to join their fellowship, he had the most extensive powers and would initiate them.

It is evident that Fairman must have judged from these repeated conferences, these kind invitations, and courteous expressions of approbation, that his principles and objects, as above stated, were not displeasing to the chiefs of the institution: he therefore proceeded boldly in his course.

Colonel Fairman on his first tour went to Ireland to receive the new system. He likewise visited Liverpool, Manchester, Sheffield, &c.; it was during this period that Haywood accused him of having made use of expressions not much dissimilar to those which he wrote to the 'Morning Herald,' and of having sounded the Orangemen 'how they would be disposed in the event of King William IV. being deposed on account of his sanctioning the reform of parliament, and if so it would become the duty of every Orangeman to support his royal highness, who would then, in all probability, be called to the throne.' It is said that expressions similar to these were made use of by Colonel Fairman in various parts of his tour. However, the manner in which he is stated to have represented himself as the confidant of the Duke of Cumberland, and as acting under his immediate authority and sign manual, is well shown by the following extracts from an affidavit, the original of which is in the hands of an eminent attorney.

The tour of Colonel Fairman had been announced to the Orangemen in the circular of the grand lodge of the 19th of April, 1832: these circulars were sent to the masters of each lodge

to be read by the members of the lodge at their periodical meetings; and were supposed to emanate from the Duke of Cumberland, the Duke of Gordon, &c., and to be sanctioned by the noblemen whose names appear as present at the meetings and discussions, of which an account is given. In consequence of this circular the deponent expected the arrival of Colonel Fairman, and of that arrival he gives the following account:—

‘That the deponent, in the autumn of 1832, was sitting in the house at which — Lodge was held, in —; and that deponent was informed by a brother Orangeman that Colonel Fairman had arrived; that deponent proceeded up stairs to the lodge-room, and found that the brethren were all assembled, the night being a regular lodge night. That soon afterwards the said W. B. Fairman appeared in the room decorated with the orange sash and robe, and took the chair. That the said W. B. Fairman addressed the meeting shortly, stating that he had been *specially appointed by his royal highness the Duke of Cumberland to make this tour; and he then produced a scroll of parchment, which he read aloud to the meeting, and which purported to be, and deponent believes was, a commission from his royal highness the Duke of Cumberland to said W. B. Fairman to make a tour, &c. &c.* * * *

That on the following morning, about nine o’clock, deponent went to —, where the said W. B. Fairman was staying, for the purpose of making inquiries of him as to the nature and objects of his tour, on which occasion deponent was with him several hours. That deponent afterwards left the house with Colonel Fairman, and, as they walked towards —, the following remarks were made by the said W. B. Fairman (that is to say): *He, the said W. B. Fairman, drew comparisons between his majesty William IV. and the Duke of Cumberland, as regarded their attachment to the Protestant Church. That this was a critical time for Orangemen; that they ought to make a stand; that, if any “row” took place, would they rally round the Duke of Cumberland? That his Majesty had no right to sanction the revolutionary measures of the Government in passing the Reform Bill; that a “row” was expected to take place. The result of all this on deponent’s mind was, that Fairman was sounding him as to whether, in the event of a “tumult” taking place, the Orangemen would adhere to the Duke of Cumberland in preference to the King.*

‘That the said W. B. Fairman also related to the deponent the circumstances that preceded and led to the grant of the travelling warrant, which were as follows: That he, the said W. B. Fairman, having been in the country, one day, on returning home, he went into his parlour, and found two letters lying on his table, one from Lord Kenyon, and the other from the Duke of Cumberland: that he went to Lord Kenyon’s first, who directed him to go to Kew to his royal highness, to which place he accordingly went, and passed several hours with his royal highness, when his appointment as grand treasurer and tourist was arranged.’

There is a striking similarity between these expressions and those made use of to the Duke of Gordon and Lord Londonderry with reference to an ultimate appeal to physical force.

Colonel Fairman appears to have been during this tour in constant communication with Lord Kenyon,^g and receiving advice from Lord Wynford:^h to the former he states, that, he had consulted Lord Wynford on the propriety of continuing to introduce the duke's name in the prominent shape which he had done, and with the policy of which he seemed to agree.ⁱ The letter to which Fairman refers is probably the one dated Oct. 24, 1832, in which Lord Wynford tells him, 'When you meet only sure Tories you may well make them feel what they owe to one who is the constant unflinching champion of the party, and who, by his steady course, has brought on himself all the obloquy that a base malignant faction can invent. But you must be aware it would be unwise to provoke discussion where there is likely to be dissent.'^k

The five letters of Lord Wynford to Fairman were written during the months of October, November, and December, and directed to Birmingham, whither Fairman went after having been at Sheffield. Fairman's conduct seems to have caused certain persons to send him threatening letters, about which he consulted Lord Wynford,^l and in consequence of which the society had to pay three pounds for a brace of pistols.^m

Fairman was hastily recalled from his tour by Lord Kenyon to attend the meeting of the grand lodge 15th February, 1833.ⁿ At this meeting the intention of Lord Wynford to join the society was first stated;^o previously to this period the noble lord^p had been unwilling to become an Orangeman, though he had in some degree directed the proceedings of the institution. Probably his friendly communications and confidential intercourse with Fairman had convinced him of the prudence and propriety of this step, and it would appear that he was subsequently initiated by Colonel Fairman in the deputy speaker's room in the House of Lords.^q

Immediately after this meeting in February Fairman departed on his tour to Scotland. He went to Glasgow and established The Loyal Gordon Lodge in that city, and another lodge at Airdrie. According to an account in the 'Glasgow Courier' he proceeded from the former to the latter place, with a large procession of Orangemen: at Airdrie he was surrounded by an im-

^g Appendix to Art., Nos. 27, 28, 29, 30, 31.

^h Appendix to Art., Nos. 22, 23, 24, 25, 26.

ⁱ Appendix to Art., No. 30.

^k Appendix to Art., No. 23.

^l Appendix to Art., No. 26.

^m Appendix to Report of Comm., p. 84.

ⁿ Appendix to Art., No. 29.

^o Appendix to Report of Comm., p. 32.

^p Appendix to Art., No. 24.

^q Appendix to Art., No. 35.

mense crowd, who received him with marks of the profoundest respect; he addressed them from the windows of 'the inn. In his speech he extolled the merits of the Duke of Cumberland, and told the multitude that his royal highness was as proud of his institution as the institution was of him. Colonel Fairman then *scattered money and distributed wine* amongst the people, to drink the health of 'the illustrious chief of the Orange institution,' and thus, according to the report of the Grand Lodge of the 4th June 1833, (for which report Lord Kenyon moved, and the Duke of Gordon seconded, a vote of thanks to the editor.) 'a spirit which was but a spark on the arrival of the gallant colonel in Scotland, had been fanned into a flame by his manly exertions to secure Protestant ascendancy;' and it was stated, that his return to North Britain would be hailed with peculiar gratification, and would strengthen the hands of the Duke of Gordon, the deputy grand master. According to the circular which was sent with a report of this meeting to the various lodges, Lord Kenyon in consequence of the above flattering information moved, that Colonel Fairman should resume the tour as soon as the Duke of Cumberland *should have approved* of the report of the meeting; this resolution, it is stated, was unanimously carried amidst the strongest feelings of satisfaction.*

In consequence of this vote Fairman 'took the liberty of assuring his grace the Duke of Gordon, that such a fire has been already kindled in North Britain as must speedily burst into a conflagration not easily to be extinguished.'† On a motion of Lord Kenyon's that the expenses of the deputy grand secretary's tour northward (210 days; at a guinea a day, £220 10s.: does this include the money scattered amongst the people at Airdrie? probably not, as there is an extra allowance of £24 18s.),‡ Lord Roden expressed his hope that the deputy grand secretary will visit Ireland. The Duke of Cumberland is stated to have seized that opportunity to refer to that country, and to abuse the government of his brother. He is reported to his Orange subjects to have said, 'Looking at the actions of the king's ministers since they first came into office, I have no reserve in stating, that it seemed to be their wish to assist by every means in their power the spoliation of that church in the principles of which I have been brought up, and which I revere and venerate. I trust that the Protestants of Ireland will *unite* amongst themselves, and the Protestants of England will RALLY ROUND THAT STANDARD WHICH IS RAISED for the protection of the national church. On

* From the Glasgow Courier, April 1833.

† Appendix to Report, p. 45.

‡ Appendix to Report of Comm., p. 47.

§ Accounts of the D. G. S. in Appendix to Report of Comm., p. 83.

this point I hope I may express a wish never to hear again in this institution of being niggardly of expense in communicating one with another. The Protestants of England and the Protestants of Ireland are one and the same. By uniting firmly we MAY BID DEFIANCE TO ALL THE CATHOLICS OF IRELAND AND THEIR SUPPORTERS PUT TOGETHER.*

This circular, containing the names of His Royal Highness the Duke of Cumberland, the Duke of Gordon, Lords Kenyon, Wynford, Roden, &c., and thus seeming to be sanctioned by their authority, in which the intrepid daring of the chief and his words of bold defiance are proclaimed to the Orange world—this circular is not to be considered as a fabrication by Fairman. Lord Kenyon writes to Fairman:—

† Portman-square, July 3d, 1833.

‘MY DEAR SIR,—There is so much relating to myself in the enclosed that I cannot presume to give any opinion as to its publication. His royal highness the grand master, I dare say, will consult with Lord Wynford on the subject, on account of the legal sentiments expressed by him, and you will act according to his royal highness’s orders, and whether in giving he is pleased that the publication should be considered official or volunteer on your part.

‘Ever your faithful friend and brother,

‘KENYON.’

There is no mention in any part of the circular of its being a spontaneous production by Fairman, nor was it so considered by the Orangemen. Lord Kenyon, in another letter, expressly approves of this document, as containing good matter and names, and directs Fairman to send a copy of it to Lord Winchelsea, and to say that it was done at Lord K.’s desire, in hopes that he (Lord W.) may join the institution.‡ Along with this circular the account of Fairman’s proceedings at Airdrie, as extracted from the ‘Glasgow Courier,’ was sent round to the various dignitaries of the society; who, after reading the resolutions, very naturally considered that Fairman’s conduct at Airdrie and elsewhere was specially approved of by the Duke of Cumberland, Lord Kenyon, and the Duke of Gordon. Some of the persons who were acquainted with Fairman, and knew how distressed his circumstances were, first wondered at his being able to scatter money amongst the crowd; and then admired the generosity of the Orange chiefs, which, thus published by authority to their subjects, could not fail to inspire the most flattering hopes into the most devoted. It is impossible to determine whether the money in question came from the Scotch or English nobles. Lord Kenyon some time before, how-

* Appendix to Report of Comm., p. 46.

† Appendix to Art., No. 41.

‡ Affidavits.

ever, had expended in support of the society nearly £20,000 in two years: surely the Duke of Cumberland and the Duke of Gordon were not more parsimonious! The latter nobleman appears hospitably to have entertained Fairman for nearly a month on his second tour to Scotland, and to have taken him on a shooting expedition.² The intimacy and familiarity between them must have rendered it easy for Fairman to organize the Orange societies in the west of Scotland, where the noble duke possesses great influence. Whether he was aided or not in his attempt by other Scotch nobles does not appear, though the preceding year Lord Kenyon seems to have thought that Lord John Campbell was favourable to the Orange cause, for he wrote to Fairman that 'the warm feeling of Lord John Campbell, who was a little my junior at Christ Church, Oxford, is very gratifying and promises (please God we may be blessed with better times) much good in the north hereafter. His old relation, John Campbell, accountant-general, was always proud of him as a Campbell, and I heartily wish he may live, and in due time enjoy the family honours.' It is earnestly hoped by all Liberals that the Duke of Argyle may disappoint this wish of the Orange party by living many a day.

During the month of November Colonel Fairman resided with the Duke of Gordon, and the next month his head-quarters were changed to Glasgow,^b whence he was most successful in spreading the influence of Orangeism over the west of Scotland. From Glasgow he made a tour to Kilmarnock, Ayr, Maybole, Girvan, and Stranraer; at the latter place, from the windows of the lodge-room, he addressed the people, and scattered money amongst them. At Stranraer he was countenanced by the local authorities. One of the bailties accompanied him to the lodge, and Colonel Fairman in consequence gave the health of 'the magistrates of Stranraer for their attachment to the Orange cause, and for the kind patronage they had extended to its members in their neighbourhood.' The bailie above mentioned is said to have stated that the town felt much gratified by the visit of the gallant colonel, 'as the representative of royalty, and as the organ of the institution.' These expressions must refer to the fact that Fairman was expressly commanded and authorized to diffuse Orangeism by the Duke of Cumberland, under a warrant, in which, as before stated, his royal highness declares his confidence in the integrity, and his knowledge of the experience of Fairman, and delegates

² Appendix to Art., No. 27.

² Fairman's Evidence, p. 847.

^a Appendix to Art., No. 28.

^b This account is extracted from the 'Glasgow Courier,' 26th December, 1833, and printed in the Appendix to the Report of Comm., p. 95.

to him vast power in virtue of his royal highness's absolute and illimitable authority. Fairman was accustomed to read this proclamation (to all intents and purposes a most illegal instrument) and show the handwriting of the illustrious duke; by which he easily produced the belief that all his actions were in reality sanctioned by his royal highness and the other nobles whom he visited, and with whom he was intimate. At the same meeting it is stated that the healths of the Duke of Cumberland, of the Duke of Gordon, Lord Kenyon, Lord Wynford, &c., were drunk. No mention is made of the same testimony of respect being paid to William IV. by this loyal assembly. In Orange meetings it used to be the custom to drink the monarch's health immediately after the toast of the 'Glorious and immortal memory,' and this was the case during Fairman's first expedition to Scotland in April, 1833. But, in a lodge meeting during May, 1833, it is stated in the affidavits to which we have referred, that Fairman caused the king's health to be passed over, and that it became subsequently notorious that at all the meetings at which Fairman presided, he would not allow the king's health to be drunk, and the supposed reason for his so doing was that William IV. had permitted the Reform Bill to pass. Thus increasing in numbers, the society increased in audacity. From Stranraer Fairman proceeded to Glenluce, Newton Stewart, Gatehouse, Wigtou, Kirkeudbright, Port Patrick, Dumfries, &c., everywhere, it is stated, disseminating Orange principles. At Glasgow the society especially flourished, and a short time afterwards the lodge sent an address to the Duke of Gordon, January 11, 1834, who consented to become their patron.*

Thus, to use Lord Kenyon's words in a letter to Fairman, directed to Gordon Castle, though 'Sawney takes some time to be well roused, yet when he imbibes the heat of Orangeism he will not lose again.^d The fire which Fairman assured the Duke of Gordon had 'already been kindled in North Britain,' 'burst into a conflagration' in the following manner:—In the year 1831 there had been an Orange riot at Girvan, in which a constable was shot. Subsequent to the first tour of the Duke of Cumberland's missionary there was a 'considerable increase, a considerable degree more of excitement in Orangeism than there was before.^e The Orangemen considered the Duke of Cumberland as their political head,^f and frequent reference was so made to him in their conversation.^g The result of an official examination was,^h that wherever Orange lodges had been established and active, they had been the occasion of continual

* Ev. 3376.

^f Ev. 2980.

^d Appendix to Art., No. 47.

^g Ev. 2981.

^e Ev. 2988.

^h Ev. 2958.

breaches of the peace, either by their processions, which have been opposed, or by the bad feeling they produced amongst individuals. Thus, last year, there were riots at Airdrie and Port Glasgow; at the former place occasioned by the procession of Orangemen in defiance of the commands of the constituted authorities, and at the latter by the Catholics who expected an Orange procession. The consequences were that acts of violence were perpetrated, and a number of bad assaults and wounds were received from the rioters.¹ These facts are extracted from the evidence of Cosmo Innes, Esq., who was sent by the Lord Advocate to examine into the causes of those tumults.

The only letters from the Duke of Gordon to Colonel Fairman in the Appendix are Nos. 50 and 51. The former relates to some dinner at Glasgow, and tells Colonel Fairman that 'yet they are not ready for a change' in the ministry. The latter refers to Lord Brougham's tour in Scotland, and to a dinner at Aberdeen, and contains kind inquiries after Fairman's health. They merely prove the intimacy which subsisted between these gallant officers.

In our last article we made various extracts from the Report of the Committee with regard to Military Warrants. We found the same difficulty as the committee did in reconciling the facts with the positive assertions of the Duke of Cumberland and Lord Kenyon. The former affirmed that he had never sanctioned the existence of lodges in the army; the latter denied that he was 'aware of their actual existence till very lately.'^k 'He could state most explicitly that since (1828) he knew that his Royal Highness the Duke of York had forbidden the establishment of any lodges in the army, he not only had never consented to the establishment of any such, but stated distinctly that none such must be granted;'^l and further, when questioned as to certain facts which ought to have proved to him the existence of lodges in the army, he assured the committee that 'those things did not make any impression upon his mind, or call upon him to feel it his duty to do anything upon the occasion. Further, that none of those things which then occurred to him persuaded him the least in the world that they were brought under the consideration of his royal highness.'^m This evidence must not be considered as the hasty expression of the noble lord's opinion, for it was carefully corrected by him. Therefore his positive assertions are these, that he prohibited, that he did not sanction lodges in the army, and that he was not aware of their existence; and, lastly, that the subject was never brought under the consideration of his

¹ 2916 and 2938.

^l Lord K.'s Ev. 2712.

^k Lord K.'s Ev. 2725.

^m Lord K.'s Ev. 2769.

royal highness, who likewise affirmed that he never sanctioned them.

There are only four letters of Lord Kenyon's which throw any light upon this subject by referring to military affairs. In every one of them Lord Kenyon desires Fairman to communicate with his royal highness, 'as he (his royal highness) is the only person except himself (Fairman) who can judiciously interfere in military matters connected with the Orange institution.'^a The reason for this probably is that they are both officers: the one was a captain in the 4th Ceylon regiment, with the colonial rank of lieutenant-colonel; the other is a field-marshal. The Duke of Gordon is likewise an officer, but he does not seem to have taken a very active part in the military affairs of the institution; nor amongst the list of thirty lodges in the regiments of the army is there one in the regiment of foot-guards, of which his Grace is colonel; however, there were plenty of lodges in the metropolis which the men might attend, and thus follow the example of the commanding officer.

Non-commissioned officers and soldiers, it should be observed, had, by the rules of 1826 and 1833, a privilege of paying a less or no entrance fee on becoming Orangemen. The latter rules are stated to have been expressly submitted to the approval of Lord Kenyon.^o This may account for the great number of lodges in the army in defiance generally of the wishes of the commanding officers, and which would justify Fairman's assertion in 1832 to Lord Londonderry that 'we have the military with us, as far as they are at liberty to avow their principles and sentiments, but since the lamented death of the Duke of York every impediment has been thrown in the way of their holding a lodge;' and adds, 'the same observations which applied to the colliers (with regard to the establishment of lodges amongst them) would attach to the military, &c.'^p Lord L. says in reply that 'he has had a full conversation and communication with Lord Kenyon on all this matter.'^q Frequent have been the boasts of the Tories that the army was opposed to the people, and that the period would arrive when the military would be employed to crush the popular party.

In December, 1832, Fairman made a proposition to Lord Kenyon with regard to the army—what it was does not appear: Lord Kenyon, in reply, says, his royal highness promises to be in England a fortnight before the sitting of parliament, and 'to him (his royal highness) you had better address yourself about your military proposition, which to me appears very judicious.'^r Some time in the month of June, 1833, it would

Appendix to Art., No. 55.

^o Appendix, p. 40.

^p Appendix to Art., No. 13.

^q Appendix to Art., No. 14.

^r Appendix to Art., No. 28.

appear that a person of the name of Warrington, of Portsmouth,* wrote to Fairman with reference to Orangeism in the army; and stated that the government, and probably the commanding officers were opposed to its extension: thus, perhaps, that impediments were thrown in the way of holding lodges amongst the military at Portsmouth. Fairman generally consulted Lord Kenyon on all important business. In a letter on the 13th June, 1833, Lord Kenyon says, 'The statements you made to me before, and respecting which I have now before me particulars from Portsmouth, are out of my sphere, and should be referred *toties quoties* to his royal highness as military affairs of great delicacy.' At the same time private intimations, I submit, should be made to the military correspondents, letting them know how highly we esteem them as brethren.¹

This letter is otherwise interesting as showing the affectionate intimacy which subsisted between Colonel Fairman, his royal highness, and Lord Kenyon—as exhibiting that tender regard for each other's feelings, amounting almost to a morbid apprehension of giving offence, which is so rarely to be met with in the more elevated ranks of society. It would appear, so we judge from the letter, that Lord Kenyon's manner, either through absence of mind or indisposition, had not been as loving as usual to the Duke of Cumberland. It seems his royal highness felt hurt thereat, and probably complained to Fairman, expressing his fear of having offended Lord Kenyon. Fairman, as the mutual friend, perhaps intimated this to his lordship, who, in a tone of extreme good feeling, replied, 'I am grieved that our valued brother Cumberland should suppose for one moment that he could have given me the slightest offence. It may happen sometimes to me as applied by Shakspeare to Brutus:

' Poor Brutus with himself at war
Forgets to show his love to other men.

But I never can forget to feel it for so zealous a friend to every cause most dear to me, as our brother Cumberland has always proved himself to be, &c. &c.

' Your faithful friend and brother,

' KENYON.'²

It is indeed delightful to peruse these tender effusions of the heart, disregarding as they do the conventional terms of rank between men whom stronger ties of sympathy than the fictitious relations of society have united together in bonds of holy alliance.

To return to Fairman's correspondence with the military lodges. Lord Kenyon, 10th July, 1833, writes to Fairman, 'if

* Appendix to Report of Comm. 187.

¹ Appendix to Art., No. 36.

² Appendix to Art., No. 36.

you hear anything further from the military districts, let his royal highness know all particulars fit to be communicated.^v From the account books of the society it would appear that in the same month Fairman went to Kew to 'attend on his royal highness by desire of Lord Kenyon.'^w (Frequent visits to Kew are mentioned in these accounts, with regard to which Fairman writes to a friend in a letter, the date of which is uncertain, 'I am almost fagged to death. I was closeted three hours the other day with our illustrious chief at Kew, and have since had the honour of a conference with him at St. James's. I was again at Kew yesterday, and this day, and was at Lord Kenyon's on Tuesday and Wednesday.'^x) It is impossible to assert whether at these conferences with his royal highness Fairman obeyed Lord Kenyon's instructions as to communicating with his royal highness on the subject of the military districts. However, in a letter dated the 30th of the same month, Fairman replies to the person connected with the military at Portsmouth, to whom reference has already been made in Lord Kenyon's letter, in the following terms:— 'Dear sir, and brother, your letter of last month has had my best attention. It is a lamentable thing that the government is so shortsighted, or so wilfully blind, as not to encourage Orangeism in the army, which would operate as an additional security for the allegiance and fidelity of the soldier on all occasions; but the ministers of the present day are holding out premiums for disloyalty to subjects of every class.' Much as I admire the good feeling which is displayed in your appeal, and which will be appreciated as it ought to be at head-quarters, or rather let me say (lest you should mistake me) by the grand lodge, I regret that it is not in my power to offer you more comfort at present than a sincere wish for a speedy change in the King's councils.'^y Thus, to use Lord Kenyon's words, 'private intimations were made to the military correspondents, letting them know how highly we esteem them as brethren.' It would appear, likewise, that in October of the same year, Lord Kenyon had received a letter from Thomas Shields, master of Lodge No. 269, 1st Royal Dragoons, Dorchester barracks, in which the soldier complained that the sums remitted to the deputy grand secretary on account of his military lodge had never been acknowledged. Lord Kenyon sent the letter to the secretary's office to be answered. The answer is to be found in the Appendix to the Report of the Committee, p. 188; and the person acting for the secretary, after accounting for the delay, writes, 'I have apprized Lord Kenyon of these particulars, and therefore possibly

^v Appendix to Art., No. 40.

^w Appendix to Report of Comm., p. 83.

^x Appendix to Report of Comm., p. 187.

^y Appendix to Art. No. 19.

^z Appendix to Art., No. 36.

his lordship may not consider it necessary to write to you again on the subject.' From this it would seem as if his lordship had previously written to the soldier. Shields' letter was, however, returned to his lordship.^a It appears, likewise, that Lord Kenyon^b received a letter from a non-commissioned officer at Dover, inclosing a remittance in that character.

Lastly, in the authorized circular to the Orangemen containing an account of a meeting of the grand lodge, 16th February, 1835, present the Duke of Cumberland, Lord Kenyon, &c., the half-pay of the army and navy are commanded to join the Orange institution under no less a penalty, if they act otherwise, than that of being deprived of the scanty reward of their services at some future period. The words of the proclamation, after referring to the conduct of the deputy grand master of Barnsley, are these :—

'Under the auspices of the same active gentleman and zealous officer, the military pensioners in his own extensive district have been recently embodied and formed into a separate lodge of Orangemen. That the praiseworthy example of these veterans (who at their monthly meetings have thus an opportunity of fighting their battles o'er again) will speedily be followed by their comrades throughout the kingdom is now confidently expected. As well as the disbanded soldiery, all persons who have been in the public service, and have retired or been discharged therefrom on compensatory or superannuated allowances, or who indeed may otherwise derive from the state their subsistence, ought to enrol themselves at once in a conservative corps, for the better protection of our venerable and sacred edifices. It is the bounden duty of such, in a crisis of danger like the present, to enlist under the banners of a loyal association, instead of repairing to factious unions, no less hostile to sound policy than to true religion, at the imminent risk of incurring a just forfeiture of their hard-earned remunerations, of which a scrupulous government *would not hesitate to deprive them.* Of this intelligible hint the half-pay of the army and navy might do well to profit, in a prospective sense.'

In the House of Lords on the 7th March, 1836, the noble lords vindicated themselves in the following manner. Lord Londonderry acknowledged the receipt of Fairman's letters and his answer. Lord Wynford said that he held in his hand a letter from Fairman, which, if he read, would surprise the house more than Fairman's letter to Lord Londonderry. This letter he did not read. He stated that all the evidence against him was one letter written

^a Appendix to Report of Comm., p. 188.

^b Lord K's. Ev. 2766.

^c Appendix to Report of Comm., p. 67.

before he was an Orangeman ; in our appendix there are six from him to Fairman in 1832, two in 1833, and one in 1834, which, if necessary, we will produce in a court of justice. Moreover, in the accounts of the Orange society there is a charge of £2. 10s. by Fairman for ‘ expenses at different times, as well last year (1832) as the present, in attending Lord Wynford at Leesons, near Chislehurst, by desire of Lord Kenyon, on the business of the Orange institution.’^d The Duke of Cumberland was silent with regard to Fairman, and Lord Kenyon did not open his mouth. It is therefore to be presumed that the last nobleman might clear himself from all imputation, as nothing to the contrary appeared.

The English society is dead. The Irish society is abandoned by all who gave it either weight or respectability. The disreputable portion of it have thrown off their yoke of allegiance. They truly assert that a royal proclamation is not an act of the legislature, that the doctrine of passive obedience means in their mouths nothing but active oppression. We rejoice at the course they are pursuing, for it will afford a plea to Lord Mulgrave to crush them and to deprive them of all political power.

It is rumoured that an attempt will be made to re-establish Orangeism under the title of Conservative societies. Let the chiefs of the late Orange institution beware. Let them remember that as long as the laws to which we have referred remain on the statute books unrepealed, so long may they be cited before the criminal tribunals of the land. There is no period which confers amnesty, there is no clause in these enactments which limits the time when they may be called upon to answer for their evil deeds. The evidence is ready against them ; and honest juries, Lord Kenyon ought to know, can now be found in despite of Peel’s bill.^e The Orange chiefs may still therefore have to implore in vain for that mercy which at length has been accorded to the Dorchester labourers.

W. M.

APPENDIX—ART. VIII.

CORRESPONDENCE OF THE DUKES OF CUMBERLAND & GORDON, LORDS KENYON, WYNFORD, &c.

No. I.

‘ Sir,—Presuming on the confidence reposed in me by the late Duke of York, the result of a zealous advocacy, as also of the innumerable communications I had the honour of making to him, during a series of years, on affairs of vital importance to the safety not alone of his august family, but to the existence of the empire, which I might be justified in affirming it was my peculiar good fortune to have been instru-

^d Appendix to Report of Comm., p. 84 ; and Appendix to Art., No. 19.

^e Appendix to Art., No. 33.

mental in rescuing from commotion in more instances than one—in addressing your royal highness, should I insensibly fall into an unreserved strain, no less indicative of a conscious integrity than of an independent mind, pregnant with patriotic loyalty, the manliness of your own character will prove my best indemnity, if through the frankness of my nature I shall happen to be guilty of an unintentional departure from state etiquette.

Of my numerous services, both private and public, I have the amplest proofs, the most satisfactory testimonials, under the hand of the late much-lamented commander-in-chief, as likewise, indeed, of a much higher personage, to which I am at present only induced to allude as a medium of introduction and access to your royal highness. Unwilling to rush unnecessarily into the presence of my superiors, I may, nevertheless, be permitted to glance slightly at the danger of committing to paper that which, for the protection of all parties, might be more securely submitted in person. In evidence of this, perhaps it may be venial in me to intimate I am in suspense at this moment as to the receipt of a letter by the illustrious prince to whom it was addressed, left at *Cumberland House, in St. James's Palace*, so long since as January last. From my past experience of the scrupulous graciousness with which all applications were uniformly acknowledged in such quarters, I should be almost warranted in apprehending a transitive miscarriage to have occurred on one side; hence it behoves me to be somewhat more guarded on such an occasion as the present.

At the same time I consider it to be no less my duty than it is my inclination to add, that any command with which I may be honoured in writing upon this subject, I shall feel great cheerfulness in obeying. Here, probably, it may neither be thought superfluous nor disrespectful to premise, that all developments, as between the late Duke of York and myself, were held inviolably sacred; by whom it was understood most distinctly, that I was neither to undergo an examination nor be questioned as to the sources through which my intelligence had been ever derived. By such conditions his royal highness was pleased to signify his readiness to abide, who condescended to convey to me a solemn assurance that my disclosures, to whatever they might extend, should invariably be received in strict confidence for his personal guidance, but nothing more. Long before it exploded, I detected and exposed the conspiracy against the house of Brunswick, which, in 1809, assumed a tangible shape, and involved in it consequences the most painful. This, however, was only one of the many things discovered and divulged by me, the acquirement, the unravelling of which, whether the effect of apocalyptic gift, intuitive light, or of what other means, is not material to the purpose; suffice it to say, that no system of espionage was resorted to, no faith betrayed nor trust broken; but that it was done rather by a fair grapple with the enemy than by a recourse to base acts, vile agency, or unworthy aid of any kind. A spirit of enterprise, and a genius for the self-imposed task, with a moderate share of discernment, and a facility in arriving at right conclusions, were the chief auxiliaries which afforded me the happiness of preparing those, for whose preservation I had risked my life, against the storms and tempests then gathering, with the mischiefs and ills about to burst upon them.

Should an indisposition, which has agitated the whole country for a fortnight, take a favourable turn,—should the Almighty in his mercy give ear unto the supplications that to his heavenly throne are offered up daily, to prolong the existence of one deservedly dear to the kingdom at large,—the divulgement I have expressed a willingness to furnish would be deprived of no small portion of its value. Even in this case, an event, for the consummation of which, in common with all good subjects, I obtest the Deity, it might be as well your royal highness should be put in possession of the rash design in embryo, the better to enable you to devise measures for its frustration; at any rate, you would not then be taken by surprise, as the nation was last year, but might have an opportunity of rallying your forces and of organizing your plans for the defeat of such machinations as might be hostile to your paramount claims. Hence, should the experiment be made, and its expediency be established, your royal highness would be in a situation to contend for the exercise in your own person of that office at which the wail and lution of another may prompt him to aspire.

Instead of offering in the channel thus selected the revelation in question, it has been suggested to me that the

Fragment of a letter in Fairman's handwriting.

No. II.

' (Private.)'

'DEAR SIR,—From those who may be supposed to have opportunities of knowing "the secrets of the Castle," the King is stated to be by no manner in so alarming a state as many folks would have it imagined. His Majesty is likewise said to dictate the bulletins of his own state of health. Some whisperings have also gone abroad, that in the event of the demise of the crown, a regency would probably be established, for reasons which occasioned the removal of the next in succession from the office of high admiral. *That a maritime government might not prove consonant to the views of a military chieftain of the most unbounded ambition, may admit of easy belief; and as the second heir-presumptive is not alone a female but a minor,* in addition to the argument which might be applied to the present, that in the ordinary course of nature it was not to be expected that his reign could be of long duration, in these disjointed times it is by no means unlikely a vicarious form of government may be attempted. The effort would be a bold one, but after the measures we have seen, what new violations should surprise us? Besides, the popular plea of economy and expedience might be urged as the pretext, while aggrandizement and usurpation might be the latent sole motive. It would only be necessary to make out a plausible case, which, from the facts on record, there could be no difficulty in doing, to the satisfaction of a pliable and obsequious set of ministers, as also to the success of such an experiment.

' Wednesday, April 6, 1830.

' Most truly yours,

' W. B. F.

'I have scribbled thus at Peel's, and, if you wish it, will write a paragraph on the subject. From all that I hear, there can be little doubt the King will soon resume his rides in the Great Park, now that the drawing-room is gone by.'

'John Sydney Taylor, Esq., "Morning Herald" office.'

The above letter was returned, as there is a post-mark dated seven at night, April 6, 1830, and addressed thus:—'To Colonel Fairman, British Coffee-house, Cockspur-street.'

No. III.

(Copy.)

' The British, July 14, 1831.

'MY DEAR SIR JAMES,—By private hand I lately had the pleasure of forwarding you two letters of different dates from Esher. Having, as the Metropolitan Deputy Grand Master of the Orange Institution, to preside at a district dinner on the 12th, to commemorate the glorious battle of the Boyne, Saville was kind enough to drive me up to London on Tuesday last. This has afforded me an opportunity of redeeming my promise to you, by enclosing the first of a series of essays which were addressed by me recently to a Noble Lord, on his own invitation, on the visionary scheme now afloat for the removal of all our political sores.

'Whenever this ill-fated branch of the empire shall again be involved in a civil war, against which emancipation, that balsam for its complaints, as the cathartic now in preparation is calculated to do towards the removal of the disease of England, the formidable force in review will hasten with cheerfulness to the arduous scene of action. *By our late returns its numerical strength now exceeds 175,000, and is fast augmenting. Though in regard to numbers we are infinitely less on this side of the water, in even that respect we are by no means despicable; and while this loyal corps is equally well affected to the constitution, its members are increasing us much in their influence as in their amount.*

'My own fine fellows who compose the lodges in the capital and its environs, none of whom are Reformers, for upon this vital point I sounded them, are staunch to the back bone. Should it be required of them to muster for the protection of the lives or the property of those uncompromising men who may possess the spirit to brave hostility, by an opposition to so monstrous a plan, at MY SUMMONS they would assemble, and under my

command they would place themselves for putting their principles to the test. I have strong reasons to be of opinion that before long there will be some occasion.

‘The unfeeling insolence of the aristocracy has attained a pitch, too, that will assuredly be the means of precipitating its tremendous downfall. Many of its wranglers, in their own council, are more than mortal, and have the daring, as worms grovelling on the earth, to vie with the omnipotence of Heaven. These vain aspirants will soon, however, be cast from their elevated seats, when we shall behold them as servile and abject in adversity as they have been overhearing and presumptuous to inferiors in prosperity, of which the arrival of the evil hour will alone make them sensible. One, moreover, of whom it might ill become me to speak but in terms of reverence, has nevertheless been weak enough to ape the coarseness of a Cromwell, thus recalling the recollection to what had been far better left in oblivion. His seizure of the diadem, with his planting it upon his brow, was a precocious sort of self-inauguration. Prior to the day fixed for the performance of the ceremony to be observed at the coronation, it is intended that the levelling scroll should have obtained the signature of H. M. For the achievement of this grand object, the most violent exertions will be made, in tenderness to the Sovereign’s oath, to maintain the true principle of the constitution. Hence it should appear that his lordship entertains a more scrupulous veneration for the sacred solemnity of such a moral obligation than was ——— by his grace.

‘Lists of all the divisions in the Commons, of which I forward to you one, have been circulated most extensively, that the rabble may be apprized of those inimical to their privileges. The names of the refractory peers will be published and dispersed all over the kingdom in a like gratuitous way, that vengeance may be inflicted the more easily on those who shall have the rashness to vote against the Bill. So far from a reaction in the sentiments of the public, or at least a returning state of sanity, with a great part of it the untroubled calm that distinguishes the feelings of the Reformers is only a prelude to the gathering storm which is howling at a distance, and will draw on us anon. But under all changes I shall remain, my dear Sir,

‘Ever yours, unalterably,

‘W. B. F.

‘To Sir James Cockburn.’

No. IV.

‘New Spring-gardens, July 27, 1831.

‘MY DEAR FAIRMAN,—I am much mortified to find that you called upon me last week when I was not at my office.

‘I am most sorry to have missed you, as I should have much liked to have talked over with you the subject, and thanked you for the perusal of the letters which you have so kindly favoured me with the copies of, though I cannot but regret to have given you the trouble of copying them. It is a great pleasure to me to feel that I quite agree in the view you have taken of the sentiments you have so ably expressed of the tremendous measure now agitating the country.

‘I scarcely know where to send this, but shall address it to the British as the surest course; and am always, dear Fairman, most sincerely yours,

‘J. COCKBURN.

‘Lieut.-Col. Fairman,
British Coffee-house, Cockspar-street.’

No. V. ‘A.

‘MY LORD,—Having acquired, in the course of a long correspondence on state affairs with the late Duke of York, and most of the ministers of the day, a freedom from reserve which alone could render my communications of the least possible use, I now address your lordship in the same spirit, from a persuasion that one practical hint may be far better, and will prove infinitely more welcome to you, than a string

of unfruitful compliments. In full exercise of such a privilege, then, I shall proceed to the discussion of some preliminary points prior to my submitting for the consideration of your lordship, and those with whom you are in the habit of acting, a few crude suggestions that ought to be calculated to open the eyes of the community to the gross delusion which is about to be played off by the charlatans of reform.'

[A long tirade on reform follows.]

Endorsed thus:—'Kenyon, Lord, letter to, on reform.'

No. V. B.

'Portman-square, Sept. 22, 1831.

'MY DEAR SIR,—I have shown *some of your essays*, the just name for them, to H. R. H. our G. M., and he has kept them by him, and his attention is so closely given to everything of a public character, that I am convinced they will not slip from his memory or be overlooked by him. I fear we have little chance of establishing and getting into good circulation any weekly or daily publication. *I know by severe experience the difficulty and expense, having expended several thousand pounds fruitlessly*, and worse than so, for such purpose. Still if we could raise a public purse for the purpose, and have sufficient local and literary aid, and diffuse through its columns sound principles and useful information, I would subscribe willingly; but I am far from wishing to tempt any persons to engage in such a concern from pecuniary speculation, as I would rather hunt myself than ruin another person. My son tells me he feels convinced the House of Commons would last night have thrown out the Reform Bill by a large majority had they voted by ballot. That point seems to me worth pressing on the public in one of our sound newspapers which has circulation in the metropolis and the country. I am convinced that the former excitement now of a year ago was very much artificially created, and if we know what are the real points on which the public opinion of the mass of the population has been perverted from old English feeling, it might be well to try to set it right. These fires, of which we now hear, though they are very dreadful, are still created by active insurrectionary spirit as they were last autumn and winter, but in consequence of a relaxation of all right feeling as to the extent of the crime itself, and rather from a sort of habit in indulgence of a spirit of revenge or self-will. The utter failure in London, Westminster, and Edinburgh, of the attempts to exhibit public feeling just now on the Reform Bill, though it affords no proof that a different state may be produced when the subject comes actively before our house, yet it shows conclusively, I think, that the inherent failing in the public mind is by no means deeply rooted. Short and pointed addresses to the commonalty, showing them the delusive character of the Reform Bill as framed, and pointing out the reasonableness of great public interests being permitted to have representatives to protect occupations of great national importance on which multitudes are engaged, seem to me to be what it would now be expedient to produce. I return the enclosed as desired, but think the other letter must be in the hands of H. R. H.

'Believe me yours faithfully,

'KENYON.

'To Col. Fauman, 15, Hercules-buildings.

'P.S.—Excuse blunders.'

No. VI.

'Portman-square, August 24, 1831.

'DEAR SIR,—From what I hear of some periodical publications, and what I collect of the state of the public mind in some parts, I certainly think a clever taking periodical should be published. If such a weekly publication, not like any paper now existing, but of a different character altogether, could be brought out, I think much result might result* in enlightening and guiding the public mind. I know not where to find proper persons to direct or conduct such a work. The object I

* *Sic* in MS.—'much good might result' is probably meant.

think should be, to show the public how entirely inconsistent with their real interests is the conduct of those, whether in Parliament or out of it, whether talkers or writers, in whom they are inclined to place.* Another great object too would be to show how grievously the French and Belgians have suffered from the revolutions in which they have been engaged; a specific statement on that point would produce much effect. As to the Reform Bill, my opinion has been uniform from the beginning that that measure must be resisted by all friends to order, government, and property, because it would inevitably annihilate all three, by giving power to those who, having no property, would seek for nothing but plunder. I am at all times glad to hear from you, and shall be glad to see *any specific plan*.

I am, dear Sir, yours truly,

KENYON.

'To W. B. Fairman, Esq., British Coffee-house, Cockspur-street.'

(Private.)

No. VII.

(Copy.)

'The British, Nov. 29, 1831.

'MY LORD,—In forwarding to your lordship the enclosure of yesterday, which for itself speaks so distinctly as to leave me but little to add on the same subject, I am persuaded you will not consider me to have been importunate or obtrusive. Should those with whom your lordship is in the habit of acting see the necessity, at a crisis of danger like the present, for such an engine, the sooner it shall be set in motion the better. The daily press has long been monopolized by, and is now in the sole occupation of the enemy. Hence the multitude who seldom take much trouble to reflect, who possess not the faculty of judging for themselves, are led astray by the sophistries so sedulously put forth for their misguidance. *That filthy concern, the Times, which spares neither age nor sex, public bodies nor private individuals, which at a less degenerate era would have been burnt by the common hangman, ought to be forthwith checked in its flagitious course of unparalleled infamy.* This can alone be effected by the immediate establishment of an uncompromising journal on opposite principles, for the intrepid exposure of its vile fabrications in all their deformity.

'Such a sacrilegious print is well worthy of its new friends, who are inexorable in their resentments and political animosities, as the vehicle of their rancour has ever been vindictive and diabolically mischievous in all its aims. That the King's ministers secretly connived at the dreadful menaces, at the sanguinary threats, so lavishly indulged in by the Treasury scribes, no rational person can any longer entertain the least doubt; yet these favourite papers, with the deluded whose prejudices they flatter, were the bitterest, the most vociferous in their clamourings for dropping the uplifted axe of offended justice on the devoted heads of the poor wretches whom they had been successful in stirring up to outrage by their seductive machinations. Perhaps this semblance of rigour in their denouncement of the guilty whom they had instigated to crime might be assumed at the command of their taskmasters, who, finding they had gone somewhat too far in raising a storm they were unable to direct, had recourse to that expedient for calming the turbulence of the passions thus excited by the insidiousness of their own instruments.

'With wily folks such manoeuvres are not unusual, for they stick at nothing in the furtherance of their nefarious plans. Having fanned into a flame the embers of discord, when found raging with a fury which almost bids defiance to the powers of resistance, they then begin to talk of extinguishing the wide-spreading destructive conflagration. To the violated laws of their country these worthies next deliver up, without a feeling of compunction or remorse, the incendiary tribe among whom they had hurled their firebrands. As well against the persons as the property of those, who were heretofore the guardians of our dearest rights, the people have been prompted to the most atrocious deeds. In the pursuit of a mere phantom, which will neither be the means of enhancing the rate of labour nor of reducing the price of provisions, the two grand desiderata of life, they have sullied their characters

* Sic in MS.—The word 'confidence' omitted.

as Englishmen, by betraying a disposition to become the assassins of their superiors for endeavouring to undeceive them. *On the arrival, however, of the day of reckoning, the hell hounds, who gouted on the ignorant to the perpetration of evil, will be called on to pay the full penalty of their cold-blooded tergiversations.* Till to-morrow I must defer my concluding remarks on the advantages that may result from the proposal submitted.

‘I have the honour to be, my Lord,
Your Lordship’s very obliged humble servant.’

No signature. The letter is endorsed in Fairman’s handwriting thus:—‘Kenyon, Lord, letter on the subject of Mr. Porter’s to me, forwarded to his lordship.’

No. VIII. A.

‘Gredington, December 20, 1831.

‘MY DEAR SIR,—The “Age” newspaper seems inclined to establish a morning paper on those *public* principles which it has advocated before, throughout and since the memorable year 1829. Its former looseness of principle and its scurrility I cannot approve; but I do not admit, as some do, *that the private characters of public men ought to be considered sacred against all attack.* I am very anxious we should have another sound morning paper, as well as the “Morning Post,” the steadiness of which, notwithstanding Zeta’s partial obliquity, has been very praiseworthy, and some articles have been very able. I shall not now be in town sooner than January 17, if quite so soon, and I shall be glad to hear from you as any circumstances of interest occur. In my neighbourhood loyalty is predominant.

‘I am, dear Sir, yours truly,

‘KENYON.

‘Col. Fairman, British Coffee-house, Cockspur-street.’

No. VIII. B.
(Copy.)

‘Kew, Monday.

‘MY DEAR LORD,—Agreeably to my letter of last Saturday, I waited on the Duke of Cumberland at the palace this morning, by whom I was received most graciously. His royal highness was pleased to honour me with a conference, which lasted upwards of an hour, &c., &c., &c.

Endorsed - ‘Kew, January 2, 1832. Kenyon, Lord, letter to, respecting my conference with the Duke of Cumberland.’

No. IX.

‘Portman-square, April 4, 1832.

‘MY DEAR SIR,—I much like the zeal of the enclosed, and beg you to send an answer forthwith, for which purpose I send a frank. I was much obliged by your letter yesterday, and hope, from your consultation with *Lord H—*, who is much pleased with them, will redound to the credit of one for whom we feel such true attachment.

‘Ever your sincere friend,

‘KENYON.

‘To Col. Fairman, 3, Cannon-row, Westminster.

‘K.’

No. X.

‘Chiselhurst, May 4, 1832.

MY DEAR SIR,—The communication of Colonel Maxwell is highly important; and I would recommend you to give, either to Colonel Peters or to Mr. Spedding, the scheme of his royal highness.

‘The letter of my friend Sir Harcourt Lees contains no fact that I think can be of use.

‘I shall not come to town again until the second reading of the Russian Dutch

Loan Bill, which probably will be Monday or Tuesday next. *I will on that day take care to be in the deputy speaker's room at the House of Lords, at four o'clock, and shall be happy to see you.*

I am, dear Sir, faithfully yours,

WYNFORD.

Colonel Fairman, 3, Cannon-row, Westminster.

Wynford.

No. XI.

Portman-square, June 22, 1832.

MY DEAR SIR,—I have seen Mr. Wright and another gentleman this morning about the Sunderland Harbour Committee, and have promised them to attend it. I am sorry I cannot find the Rippenden papers to which you refer again, so will hope I must have returned them to you. I trust you will be able soon to settle with our illustrious G. M. on the subject of your tour of inspection. He was quite willing to sanction it, if you will draw him up a form adapted to the occasion for sanctioning it.

Believe me, my dear Sir, yours most truly,

KENYON.

To Col. Fairman, 3, Cannon-row, Westminster.

No. XII.

(Copy.)

Cannon-row, Westminster, 29th July, 1832.

MY LORD MARQUIS.—As a stranger to your lordship I am to apologize for this freedom, which I am emboldened to take, from being the organ of an institution, the last report of whose proceedings I have the pleasure now to enclose for you. In a conference I lately had the honour of holding with the Duke of Cumberland, his royal highness was graciously pleased to inform me he had written to your lordship a few days ago on the subject. As this probably might arise from a suggestion of mine to Lord Kenyon, who now happens to be at Durham, I am induced to be more explicit than perhaps I should otherwise have been. With Mr. Wright of Sunderland, who was recently in London, I had some conversation on the great advantages that might result from an extension of such a society at this conjuncture. Conceiving its principles to be strictly in unison with those entertained by your lordship, in the course of our communications your name was introduced, when that gentleman said, if the matter were taken up with spirit by you, the whole district would follow the example and cheerfully join such an association. To urge it might be political for your lordship to do so, in a personal sense, would be to offer you a very ill compliment; but to contemplate it, as shall presently be made to appear, in a patriotic view, the security of that part of the kingdom might be consolidated by such means. The pitmen would perhaps feel inclined to establish lodges among themselves, which might operate as an additional stimulus to their loyalty, and would likewise prove a partial check against their entering into cabals hereafter, no less to the preservation of private property than to that of the public peace. Knowing that your lordship has firmness to espouse the cause you approve, on this occasion I address you with the less reserve. When the altar and the throne are alike assailed,—when infidelity and treason are boldly avowed,—when a republic and a lord protector are confidently spoken of,—when, indeed, we have a papish cabinet and a democratical ministry, who, having given birth to a monster they can no longer control, are now alarmed at their own popularity, and are the abject slaves of a ferocious, revolutionary, and subversive press, little short of a miracle can work the salvation of our once happy country! It behoves us, nevertheless, to exercise our energies, and by measures at once prompt and vigorous, to stem the torrent that threatens to overwhelm us. By a rapid augmentation of our physical force, we might be able to assume a boldness of attitude which should command the respect of our Jacobinical rulers. What the Catholics and the Unionists have achieved by agitation and clamour in a factious cause, we might then be enabled to effect in a righteous one. If we prove not too strong for such a Government as the present is, such a Government will soon prove

too strong for us; some arbitrary step would be taken in this case for the suspension of our meetings. Hence the necessity of our laying aside that non-resistance, that passive obedience which has hitherto been religiously enforced, to our own discomfiture. The brave Orangemen of Ireland rescued their country from rebellion, and their gallant brethren in England would as heroically redeem their own from such perils. On the one hand we have had minor difficulties to contend with, and less danger to surmount, though on the other hand we have not had the same encouragement, and an equal share of support from the higher orders. We have lodges at Newcastle, Shields, Darlington and round about, but they are merely trucks without heads. Titled men of influence and consideration would immediately step forward as *county grand masters*, (I speak advisedly,) it is of no manner of use for the classes in humble life to assemble for such purposes. The field is now open to your lordship,—the post of honour is exclusively your own. If then your lordship would but profit of it, you would deserve well of this country, while at such a crisis you would confer fresh confidence on your own. In a long conversation I had yesterday with Lord Longford, he intimated that the brethren of Ireland were determined to resist all attempts the Liberals might make to put them down, at the same time reproaching us for our tameness in not affording an aid commensurate with the evils by which we were menaced. In proportion to the increase in the numbers of our institution, the defeat of the Whigs will be rendered more certain. Should your lordship feel disposed to entertain views similar to my own, the deputy grand master of England is now in your neighbourhood to give them efficiency. Let me reiterate my apologies for the liberty thus taken, which I trust the importance of the occasion will warrant my having done. With sentiments of respect,

‘I have the honour to be, my Lord Marquis,

‘Your Lordship’s very obedient Servant,

‘W. B. FAIRMAN.

‘To the Marquis of Londonderry.’

No. XIII.

(Copy.)

‘Cannon-row, Westminster, 30th July, 1832.

‘MY LORD MARQUIS,—In my letter of Saturday, I omitted to mention that we have the *military with us as far as they are at liberty to avow their principles and sentiments*; but since the lamented death of the Duke of York, every impediment has been thrown in the way of their holding a lodge. The same observation that was applied to the colliers might be applied to the soldiery. As Orangemen, there would be an additional security for their allegiance and unalterable fidelity in times like the present, when revolutionary writers are striving to stir them up to open sedition and mutiny. In trespassing thus upon the attention of your lordship, I am not so presumptuous as to suppose that anything urged by me could influence your conduct; but, understanding the Duke of Cumberland has communicated with your lordship on this subject, I felt it my duty to put you in possession of certain facts with which you might not be acquainted.

‘I have the honour to be, my Lord Marquis,

‘Your Lordship’s very respectful and obedient servant,

‘W. B. FAIRMAN.

‘To the Marquis of Londonderry.’

No. XIV.

‘Wynyard-park, August 8, 1832.

‘SIR,—I am honoured with your two communications of the 29th and 30th ult.

‘You do me only justice in believing that I would most willingly embrace every opportunity and do all in my power to espouse the cause and establish the institutions you allude to in this part of the kingdom; but the present state of liberal Whig feeling in this very Whig county, and the very refractory and insubordinate state of the pitmen, entirely preclude the possibility of successful efforts at this juncture. I have had a full conversation and communication with Lord Kenyon on all

this matter, who has been in my house these last two days, and I have no doubt he will convince his royal highness, as well as yourself, that the present moment is not the time when the object can be forwarded.

'I will lose no opportunity of embracing any opening that may arise; and I have the honour to be, Sir, your very obedient servant,

'VANE LONDONDERRY.

(Directed)

'Col. Fairman, Cannon-row, Westminster.

(Post mark, Stockton.)

London.'

No. XV.

(Copy.)

'Cannon-row, Westminster, Aug. 11, 1832.

'MY LORD DUKE,—I am much flattered by your grace's kind invitation. As I must necessarily be in Northumberland, and as my presence in Scotland may prove beneficial to our righteous cause, it is not improbable that I shall have an opportunity of offering to your grace my respects in person, which it will be no less my pride than my duty to do, should I be able to enter North Britain. Our institution is going on prosperously; and my accounts from all quarters are of the most satisfactory kind. By our next general meeting we shall be assuming, I think, such an attitude of boldness as will strike the foe with awe; but we inculcate the doctrine of passive obedience and of non-resistance too religiously by far. A Catholic cabinet with a Popish premier should be ostensibly opposed by a Protestant people. With a government that yields to clamour what it would deny to justice, we ought to be vociferous in proportion. Had we been only a tithe as strenuous in a righteous cause as the adversary has been turbulent in an unholy one, we might have occupied the vantage-ground long ago. Our illustrious grand master was pleased to honour me with a conference a few days since, and appeared to be in excellent health. Lord Kenyon and the Marquis of Londonderry wrote me from Durham recently, as did Lord Longford, and the Viscount Cole from Ireland, in the highest spirits. Our brethren in that country are determined to resist all attempts that shall be made by a Whig ministry to interrupt their meetings or to suspend their processions; but they complain of our not affording them that support which would give vigour to their proceedings, and which would be an eternal source of terror to the enemy. Their charges are, I must admit, too well founded. However, *the time is fast approaching when matters will be brought to an issue, as a conciliatory course will be laid aside, and an opposite one will be resorted to.* But to return to our own society: What we stand chiefly in need of is men of influence to take the lead in the country, *where, as we now have of districts, we should have deputy grand masters of shires.* To effect this object my best efforts will be directed, but I am afraid I shall find it a work of difficulty. I am about to organize a plan to render us more attractive: until this is done, and we are put upon a new footing, to expect the least practical good is out of the question. If we are to be considered as the auxiliary force of a constitutional government, we ought to be in a state of efficiency for such a purpose; if we are to be arrayed in hostility to a republican ministry, we ought to be in a condition to check their subversive courses. The most that can be said of us at present is, that we are something on paper, but worse than nothing at all in the field, though in some instances we have inspired the wavering and neutralized the bad. But these are negative points at best, and do but little good to the cause. As I shall be invested with powers the most extensive on my approaching tour, should your grace have any friends who might feel disposed to join our fellowship, they could be initiated at once, without the trouble of attending the grand lodge, or even of stirring a step for that purpose. In this case, as I shall be provided with all the materials, *I could open their lodges and set their war-runs in full operation while on the spot.*

I have the honour to be, my Lord Duke, your grace's most devoted and respectful servant,

'W. B. FAIRMAN.

'To his Grace the Duke of Gordon,
Gordon-castle, Scotland.'

No. XVI.

(Copy.)

' (Private.)

' Florence-court, August 2, 1832.

' MY DEAR COLONEL,—I hasten to let you know the change, it is only in the place of N—W use N—E; you understand what I mean.—Ali is going on well. I am now going to attend a meeting, so can write no more.

' I remain ever your friend and brother,

' COLE.'

' To Col. Fairman, Cannon-row, Westminster.'

No. XVII.

' Durham, Aug. 5, 1832.

' MY DEAR SIR,—I was prevented writing yesterday, but beg now to say that I really never did receive back from H. R. H. your letter proposing your scheme of visitation. I myself gave it to H. R. H., and trust it will be found safe, and save you further trouble. It was remarkably well conceived, I thought. A much better spirit is arising, I have comfort in thinking, and I shall not desert the good cause in Denbighshire, where my son meets with much kind support. If any of the heads of the Dissenters (I mean Christian Dissenters) could be brought to assist us, we should do well almost everywhere; and I am sure ours is the cause of all friends to Christianity. I shall see Lord Londonderry on Tuesday.

' Ever your faithful friend,

' KENYON.

' I quit this for Auckland on Saturday, shall then be on the move till the 18th, when I am to be for eight days at Peel Hall, Bolton, and then I trust we shall reassemble at Gredington in health and peace.

' Colonel Fairman, 3, Cannon-row, Westminster.

' R. Bristol.'

No. XVIII.

' Kew, Sunday Night.

' The Duke of Cumberland is very sorry that he cannot receive Mr. Fairman tomorrow at twelve o'clock, as he has an engagement at twelve o'clock in London, which he cannot now put off; but if Mr. F. would come here on Tuesday morning at ten o'clock, he will receive him with pleasure. The Duke of Cumberland is not aware of having any warrants to sign, unless Mr. Fairman has brought them with him; if so, they will be signed.

' To — Fairman, Esq., Castle Inn, Brentford.

' Er.'

No. XIX.

' Friday Night.

' DEAR M——,—I am almost fagged to death. I was closeted three hours the other day with our illustrious chief at Kew, and since have had the honour of a conference with him at St. James's. I was again at Kew yesterday, and this day, and was at Lord Kenyon's on Tuesday and Wednesday. I have been, too, with Lord Cole, who will leave town in a few days. Enclosed are the letters as you desire, with one likewise for my friend Stanhope. I have left it unsealed for Condell to read, but I think he should not deliver it in an open state. I am afraid it will not be in my power to attend his lodge on Monday, and Losack will not unless I am present. Inconvenient as it will be to me, I shall have to go again to Chiselhurst, I am afraid.

' Most truly yours,
' W. B. F.'

No. XX. (A.)

' The Duke of Cumberland only perceived late last night that there were two notes of Mr. Fairman's, and is exceedingly sorry for the inconvenience this must have occa-

sioned Mr. F.; but the truth is, that there being no post on a Sunday, he never went to his writing-table till the evening when first he found these notes; he immediately inquired after the Rolls, and after some trouble has been fortunate enough to get them; they are sealed and signed.

'To — Fairman, Esq., Castle Inn, Brentford.'

No. XX. (B.)

The following is a copy of part of the Itinerant Warrant.

'Be it known, therefore, that from a knowledge of his experience, and a confidence in his integrity, our trusty, well-beloved, and right worshipful brother, Lieutenant-Colonel Fairman, master of the metropolitan warrant, member of the grand committee, deputy grand master of London, acting deputy grand treasurer, and deputy grand secretary of the institution, is hereby nominated, constituted, delegated and appointed to undertake the said visitation or tour of inspection, in order to examine the accounts, and ascertain the actual state and condition of the respective warrants, to conciliate and arrange all controversies and misunderstandings, and to perform, settle and terminate every matter of business in anywise connected with the society or its affairs, or tending to promote its prosperity and welfare, and, in short, to do, execute, and transact all such things appertaining thereto, as in the exercise of a prudent and sound discretion he shall deem to be judicious, expedient, and fitting: For these objects and general purposes, by virtue of the authority vested in me as grand master of the empire, by the code of laws and ordinances of the 30th day of March, 1826, I have hereby granted this my special commission, with a dispensation to empower and enable the dignitary and officer hereinbefore named to admit and initiate members into the institution, to communicate to the brotherhood the signs and pass-words of the new system, to teach the lectures in both orders, to open new lodges, and to set them in full operation on the payment of such dues and fees to the grand lodges, through the medium of the said dignitary and officer, as have been already agreed on by the grand committee; and finally, to suspend or expel contumacious and refractory members, subject to a ratification of his proceedings and adjudications by the grand lodge, at its next meeting, in the event of any appeals being made thereunto, but whose orders and decisions are in the meanwhile to be obeyed and held conclusive. Given under my seal, at St. James's, this 13th day of August, 1832.

'ERNEST, G.M.'

No. XXI.

'Glasgow, Sept. 16th.

'MY DEAR COLONEL,—Leaving this for Belfast to-morrow, I resign now all hope of seeing you, so draw enclosed from post-office, and send it through our noble and revered friend Lord Kenyon; and I have only to hope that as you appear not to have been in Dublin for more than a couple of days, that you may not have completed altogether the business that brought you over, and may intend to return from Scotland by Dublin; if so, I need not say my house is to be your hotel the entire time you remain here. With fervent esteem and regard ever yours,

'H. LEES.'

This letter appears to have been sent under cover to Lord Kenyon, and by him franked to Colonel Fairman, addressed

'Ellesmere, Sept. 22, 1832.

'Lieut.-Colonel Fairman, 3, Cannon-row, Westminster.' (Free) 'KENYON.'

No. XXII.

'London, Oct. 22, 1832.

'MY DEAR SIR,—On my return from Hastings I found your letter. I have heard from several quarters accounts confirmatory of those you have sent me. As his Majesty's Secretary-of-State is already informed of these proceedings, I am not aware of anything that I can do until the meeting of Parliament. I have long been convinced that if Parliament does not put these persons down, they will

supersede Parliament. If his Majesty's Ministers were to attack them they would destroy their only support, for they cannot hope for much assistance from the superior classes. If anything more comes to your knowledge that can be proved, and you do me the favour to communicate it to me, I shall, as I am bound by my oath as a Privy Councillor, communicate it to the Secretary-of-State. I shall be happy to receive any communication from your friend that he may be kind enough to make to me; of course I shall lay that communication also before Government. Collect all the information you can; when Parliament meets some use may be made of it.

'Faithfully yours,

'Colonel B. Fairman, R. O. Birmingham.'

'WYNFORD.

No. XXIII.

'Chiselhurst, Oct. 24, 1832.

'MY DEAR SIR,—I am much obliged to you for thinking of my son. When you return to London I will talk to you on the subject. I am very glad to see by the paper that you did me the favour of sending me, that the health of my illustrious friend was so well received. He (the Duke of Cumberland) is one of the best and most ill-used men I know; but the Whigs will never forgive his using the influence which his excellent understanding, and his steady adherence to his principles, gave him with his brother to unseat them when last in office. *The Tories have not been sufficiently grateful to him.* The country, as it becomes better acquainted with Whig misrule, will learn to appreciate his merits. As you are so obliging in your last letter as to ask my advice as to whether you should pursue the course you have so ably begun, *I can only say that you must exercise your discretion as to the company in which you make such appeals as that which I have seen reported. When you meet only sure Tories, you may well make them feel what they owe to one who is the constant, unflinching champion of the party, and who, by his steady course, has brought on himself all the obloquy that a base malignant faction can invent.*

'In great haste faithfully yours,

'WYNFORD.

'Colonel Fairman, Post-office, Birmingham.'

No. XXIV.

'MY DEAR SIR,—I received a letter from Miss Kenyon this morning, enclosing one from you. The reason that you have not heard from Lord Kenyon is, that he has been dangerously ill, and although (I hope) getting better, is still confined to his bed, and unable to write. Miss K. has forwarded your letter to me safe. She says that, although she has not thought it right to mention this or any other business to his lordship, she is certain that if it be thought proper to hold a meeting, his house is at your service for that purpose. I ought not to presume to give an opinion on Orange affairs, for, although I am sincerely attached to Orange principles, from my repugnance to belong to any club, I have not yet proposed myself to become a member of that club. The reasons that you gave, in your letter to Lord Kenyon, appear to me most satisfactory to show that the meeting should at present be holden. But of that the duke will judge. What the Radicals proposed to do in Parliament can only be met in Parliament. We ought, however, to be on the alert, and I am therefore obliged to you for the information. From what I hear of the elections, I think we should defeat the Radicals in the next Parliament. The thing to be considered is, how to check the spirit of radicalism, which will gain a frightful ascendancy if the Conservatives do not show that, whilst they are resolved to bury themselves under the institutions of the country, they are zealous to correct real abuses, and that they will, above all things, attend to the correction of the vices and improving the condition of the poor.

'In haste, faithfully yours,

'WYNFORD.

'The first part of your letter is not arrived, which prevents me from understanding the whole of the latter part.

'Chiselhurst, November 6, 1832.

'Colonel Fairman, Birmingham.

'Wynford.'

No. XXV.

'Chiselhurst, 29th November, 1832.

'DEAR SIR,—I received your letter this morning, with the division* enclosed. Some one has sent me this a week ago, and I have read it with great pleasure. I have some friends coming to me the early part of next week; as soon as they leave me I shall go to Bath for a month, if Parliament will permit me. I am sorry to hear of your account of Birmingham. I had hoped that there would have been considerable reaction. I am ready to do my duty whenever Parliament shall meet. Mr. Horsley Palmer's retiring from Birmingham greatly surprises me. I understood at the Carlton Club that his return was certain. Had a requisition been sent to my son when it was sent to Mr. Palmer, he would have stood if there had been a fair chance of success; and he had, I believe, nerves to abide the pelting of any storm. But I think it is now too late, and I have no opportunity of conferring with him, as he is not with me. If I do, I think at this late hour I should advise him to reserve his money for another opportunity, when he can meet his adversary on more equal terms.

'I am, my dear Sir, very faithfully yours,

'WYNFORD.

'You speak of coming in on a petition. Any person who comes before a Committee of the House, as a party on an election contest under the Bill, will be ruined, be the case what it may.

'To Colonel Fairman, Birmingham.'

No. XXVI.

'Chiselhurst, December 2, 1832.

'DEAR SIR,—Your letter only reached me this morning, which is the last of the three days, and the post leaves us to-night. I have received letters of this sort, and never took any notice of them; your letter has something about it which induces me to think that it does not come from one who meditates mischief. Men bite before they bark. I would recommend you to be on your guard; and as brethren days are over, if there is nothing that requires your remaining at Birmingham, I would leave it. I would not recommend any application to a magistrate, or any advertisement of reward, nor any letter to the Secretary of State; neither of these ways can do any good. If it is the letter of a person who means mischief, you will not find him out; if it is only an attempt to frighten you, an advertisement or application to a magistrate will flatter the writer that he has succeeded. There may be expressions to frighten, but I cannot think they have as yet gone the length of forming combinations to execute their horrible purposes.

'Faithfully yours,

'W.

'Lord Kenyon is much better. I have had a letter from him.

'Colonel Fairman, Birmingham.

'Wynford.'

No. XXVII.

'Peel-hall, 28th December, 1832.

'MY DEAR COLONEL AND BROTHER,—I am here again with my venerable aunt, eighty-nine years of age, on a Christmas visit, but return to Gredington next Thursday. Anxiously do I wish that the Cock of the North may think it right to come to Glasgow. The warm feeling of Lord John Campbell, who was a little my junior at Christ Church, Oxford, is very gratifying, and promises (please God we may be blessed with better times) much good in the North hereafter. His old relation, John Campbell, accountant-general, was always proud of him as a Campbell, and I heartily wish he may live and in due time enjoy the family honours. I will send our grand treasurer your circular. His royal highness promises being in England a fortnight before Parliament re-assembles, and I hope will come well. To him, privately, you had better address yourself about your military proposition, which, to me,

* This word 'division' it is doubtful if used, the manuscript being a wretched scrawl.

appears very judicious. I wish such as his royal highness would, without neglecting the prime consideration, namely, the fitness of anything proposed, attend in addition to that to what is popular. Our enemies attend to that alone, which is base; we seem to disregard it too much, which is foolish.

‘Ever yours, faithfully,
‘KENYON.’

No. XXVIII.

‘Gredington, January 7, 1833.

‘MY DEAR SIR,—The enclosed from J. Clarke I forward to you, as it is fit you should see his statement.* *It was the fourth application for money I received on the day on which it arrived, and reminded me of Terence, In se res redit Phormio;* for such applications go little elsewhere. I hope to be in town the very beginning of next month at latest, and hope to hear a good report of your visitations. The good cause is worth all the help that man can give it, but our only trust must be in God. *In the last two years and a half I shall have spent, I suspect, in its behalf, nearer £20,000 than £10,000.* If you are with an honoured brother the Duke of Gordon, please to tender my best respects to him and the Duchess.

‘Ever your sincere friend,
‘KENYON.

‘Ellesmere, January 7, 1833.

‘To Colonel Fairman, the Duke of Gordon’s, N.B.
‘Kenyon.’ (Free.)

No. XXIX.

‘Portman-square, 8th February, 1833.

‘MY DEAR SIR,—I called at 3, Cannon-row, yesterday, having attended his royal highness, our grand master, to the House of Lords, to sign Lord Aberdeen’s proxy, and gave Clarke a frank to write to you, to say that his royal highness and I agreed that we were bound by our rules to have a meeting there on the 15th, and to notify to you, therefore, the necessity for your immediate return. You can easily return to the north, and continue your initiation; but we must not run the risk of disappointing our brethren if they come up to attend our meeting.

‘Ever yours, most faithfully,
‘KENYON.

‘To Lieutenant-Colonel Fairman.’

No. XXX.

(Copy.)

‘Doncaster, Tuesday, Feb. 12, 1833.

‘MY DEAR LORD,

Lord Wynford, the soundness of whose judgment few persons would be so hardy as to call in question, was kind enough to write me word he had read with much pleasure the report of my proceedings at Birmingham. I believe I mentioned that I had consulted his lordship on the propriety of my continuing to introduce the Duke’s name in the prominent shape I had previously done, and with the policy of which he seemed to agree. There is one strong point which induces me to cherish a hope that I have worked a change in the sentiments of the press, which is that the foulest part of it, I fancy, has not attacked me, nor attempted to gainsay my comments in refutation of the calumnies so lavishly put forth against our illustrious grand master. If he would but make a tour into these parts, for which I have prepared the way, he would be idolized.

‘I am, with sincere respect, my dear lord, ever most devotedly your lordship’s,
‘W. BLENNEHASSETT FAIRMAN.

‘To Lord Kenyon.’

No. XXXI.

(Copy.)

Reindeer, Doncaster, Tuesday.

'MY DEAR LORD,—As I once mentioned to Lord Wynford, I really write such a number of letters, that I scarcely know to whom or where. I think, however, that I not only addressed one or two to your lordship from Leeds as well as from this place (before I received yours yesterday), but that I also sent you some documents in a parcel to Gredington, which I hope have been forwarded to you in London, as it might be very desirable to lay them before the grand lodge. The keeping a memorandum is wholly out of the question, from the constant state of turmoil and interruption I have endured, though I am frequently not in bed till two in the morning, labouring to get my business under, which in spite of all my industry still gains upon me. In the midst of my bustle yesterday, in consequence of my recall, and which by the way I consider to be highly complimentary, a party of gentlemen came over to me from Barnsley, to aid my endeavours for the establishment of a new lodge in this town, of the first respectability, for which I hope the way is paved. It was impossible that I could do otherwise than invite my new brothers, by whom I had been treated most princely, to take their dinner with me. About a week ago I opened for them their warrant, and by way of beginning I initiated 10 members, and, could I have stayed another day, might as many more, who have since joined it; but the subsequent fees cannot be claimed by the grand lodge. These brethren are all men of fortune, of high spirit, to whom money is no object. In proof of this, Mr. Jadison, the master, who dined with me yesterday, said that a subscription of £50 each had already been talked of, to get up an entertainment for our illustrious grand master, if they might be permitted to look forward to so distinguished an honour as a visit from him in the autumn of the year. All the ladies are with us, and "the blue belles of Yorkshire" are noble dames. *So sensible were they of the injuries that have been heaped on our much-injured prince, that at a dinner party at Mr. Jadison's, when his royal highness's health was proposed (and in every party which I have attended it has been drank with enthusiasm), they actually shed tears.* By excess of toil my own nerves are so unstrung too, that in making to your lordship this report, *I am playing the woman*; though I am proof against persecution, I am not against kindness. While the one kindles my indignation, the other at once subdues me. I find, however, I must not pursue such a subject at this moment. The enclosure goes to the corroboration of what might probably have been effected could I have stayed longer in a place since the elections. I have many more letters of a similar kind, upon which I cannot lay my finger at present, but doubtless shall speedily be able to do so. I have notified to most, if not the whole of the districts in this county, in Lancaster, and in Cheshire, as well as in Derbyshire, the assembling of the grand lodge on Friday next. I have written to the Duke of Gordon, to Glasgow, and elsewhere, to intimate that in all probability I should be directed to renew my circuit of the country so soon as the circular should be published. My inefficiency at the ensuing meeting will be excused, I hope, as I really stand in need of rest, and cannot promise to be more than a mere cipher. Towards its termination I will rally all my spirits, to give some account of my mission, but the very thought now unman's me.

'The new lodge at Barnsley is named "The Royal Cumberland Lodge." In great haste,

'My dear lord, ever most devotedly your lordship's,

'W. BLENNEHARSETT FAIRMAN.

'To Lord Kenyon.'

No. XXXII.

Portman-square, May 2, 1833.

'MY DEAR SIR,—I will try to keep all right to-morrow at the meeting of the grand committee. I truly grieve you are so poorly, and beg you to take care of yourself. I will see if anything can be done to-morrow on the subject of fees; but, though character ought doubtless to be our first object, numbers attached to the cause must be a necessary ingredient as to strength. I don't know whereabouts Hercules'-

buildings are, or some fine morning I might try to beat up your quarters. When we consider who our grand master is, we ought to feel—

“ Nil desperandum,
“ Teucro duce et auspice Teucro.”

‘ To Colonel Fairman.’ ‘ Ever your faithful friend,
‘ KENYON.’

No. XXXIII.

‘ Portman-square, May 25, 1833.

‘ MY DEAR SIR,—I return the gallant Duke’s warm-hearted letter. Would to God we had hundreds of such men! The wretch in *The Satirist* would be best corrected, if it might be, by an opposite paper ruining his scandalous one. He well deserves, however, the severest punishment, and ought to be prosecuted in all cases where conviction seems absolutely certain. *The difficulty of obtaining honest juries, to which Peel’s Bill has subjected us, is very fearful.*

‘ To Colonel Fairman.’ ‘ Ever your faithful friend,
(Signed) ‘ KENYON.’

No. XXXIV.

‘ Portman-square, May 30, 1833.

‘ MY DEAR SIR,—With respect to the composition of the grand committee, the pleasure of his royal highness the grand master is the only rule by which its formation can properly be regulated. Its being so framed as to produce harmony in the institution will no doubt be the principle by which his royal highness will be guided; and I am confident that feeling, as he must do, the essential importance (especially with reference to your undertaking a new tour to consummate the zeal and harmony of which you have laid the foundation in North Britain and the northern and trading districts of England) that you and the grand committee should be in entire harmony and mutual confidence; that, therefore, neither brother South nor brother Morris should continue a member of it. The will of the grand master is conclusive; and no names ought to be submitted to his royal highness in grand lodge but such as will be satisfactory to him. The suggestion at the meeting of the grand lodge is not for the purpose of election otherwise than in accordance with the pleasure of the head of the institution, whose authority is justly declared to be supreme. You may communicate this to the grand committee, for we must not let our high and zealous friends who meet at the grand lodge be disgusted any more by discussions at those meetings. Should any such be apprehended, his royal highness should be informed that he may, previous to the anniversary of June, interdict the attendance of any brethren who would so forget themselves.

‘ Believe me, my dear Sir, your faithful brother and friend,
‘ To Colonel Fairman, &c. &c.’ ‘ KENYON.’

No. XXXV.

‘ June 1.

‘ MY DEAR SIR,—Lord Wynford has fixed Monday, at half-past twelve, at the House of Lords, to be initiated an Orangeman. He has a private room of his own there as deputy Speaker.

‘ Believe me, my dear Sir, yours truly.
‘ KENYON.’

No. XXXVI.

‘ Portman-square, June 13, 1833.

‘ MY DEAR SIR,—I am grieved that our valued brother Cumberland should suppose for one moment he could have given me the slightest offence. It may happen sometimes to me, as applied by Shakspeare to *Brutus*:—

“ Poor *Brutus* with himself at war,
Forgets to show his love to other men;”

but I never can forget to feel it for so zealous a friend to every cause most dear to

me, as our brother Cumberland has always proved himself to be. The statement you made to me before, and respecting which I have now before me particulars from Portsmouth, are out of my sphere, and should be referred, *toties quoties*, to his royal highness, as *military matters of great delicacy*. At the same time, private intimations, I submit, should be made to the *military correspondents*, letting them know how highly we esteem them as brethren. I hope the circular will soon be out.

'To Colonel Fairman.'

'Your faithful friend and brother,

'KENYON.'

No. XXXVII.

'Portman-square, June 28, 1833.

'DEAR SIR,—I will lay your letter, proposing various important suggestions, before his royal highness our illustrious grand master. There is weight in every one of the suggestions; and the zeal shown by brother Cragie is very refreshing in these days of mawkish apathy. I had the delight of expressing to our royal grand master, on the evening of the day of the honest verdict of the twelve loyal jurymen, my gratification at the tardy justice which had been done him. I have replied to the enclosed in such manner as to enable our brethren to show my letter to any magistrate with whom they may think my sentiments and feelings can have any influence.

'Ever your faithful friend and brother.

'To Colonel Fairman.'

'KENYON.'

No. XXXVIII.

'Portman-square, July 2, 1833.

'MY DEAR SIR,—I wrote yesterday to Mr. Plunkett concerning your tour and other matters. If H. R. H. pleases to start you, I see no need for any delay. The statement of these accounts might be issued after you have agreed on the facts to be stated by Kedes or any other steady brother you please to authorize to do so. You must, however, arrange your course *generally* with H. R. H., and let him or me know from time to time where for a certain indefinite* you may be sure to be found. H. R. H. I think judges well in thinking it *undeniable* to have any meeting, now that the Irish Church Spoliation Bill hangs over our heads. If we go on quietly in and out of Parliament till that comes forward, I am confident we shall, by God's mercy, throw it out on the second reading. Excuse more; but early any morning if you like to call I shall be glad to see you, but I am very early.

'Ever your faithful friend and brother,

'KENYON.

'Colonel Fairman, Hercules-buildings, Lambeth.'

No. XXXIX.

'Portman-square, July 3, 1833.

'MY DEAR SIR,—There is so much relating to myself in the enclosed, that I cannot presume to give any opinion as to its publication. H. R. H., the G. M., I dare say will consult with Lord Wynford on the subject, on account of the legal sentiments expressed by him, and you will act according to H. R. H.'s orders, and whether in giving he is pleased that the publication should be considered official or volunteer on your part.

'Ever your faithful friend and brother,

(Signed). 'KENYON.

'Col. Fairman, Hercules-buildings, Lambeth.'

No. XL.

'Portman-square, July 10, 1833.

'MY DEAR SIR,—I send you some anti-Roman Catholic books, which you may distribute among the following Peers:—Manvers, Stradbroke, Liverpool, Harrowby,

* Sic in MS.

Northampton, Carnarvon, the Bishops of Llandaff, Lincoln (Warren's-hotel). &c., &c. I can say nothing as to Mr. Staveley's publication, but if done it should be forthwith, and I would take a few copies. You know much better how to manage our brethren than I do, and they must be kept together as well as they can be. If you hear anything further from the *Military Districts*, let his royal highness know all particulars fit to be communicated. The times I really trust are improving quietly and gradually. Let us act firmly and maintain all that is sacred, and provoke no one more than can be avoided.

'Believe me, my dear Sir, yours faithfully,
'KENYON.'

No. XLI.

'Eastwell-park, August 13, 1833.

'MY DEAR SIR,—Be so good as to send the Earl of Winchelsea, in a day or two (but not overweight, as yours of this morning is to me), the circular of June 4th, and any other circular which will contain good names and matter in it. You can say you did it by my desire, and in hopes that he, as one of the staunchest of Protestants, would join us. I am glad to hear that several persons of judgment think we might have a Government with which the House of Commons would act. If so, it is a sad pity the Hero of Waterloo and others would not act so as to have obtained such a Ministry during the existing session. When Parliament is prorogued, *it is well known nothing can be done, unless some death of importance occurs*. I hope to be in town on Thursday morning, for two nights.

'Ever your faithful friend and brother,
'KENYON.'

No. XLII.

'DEAR COLONEL.—I returned here yesterday, and found your letter. I fear, by this time, that you are started on your tour. To whom am I to pay my debt to the Orange Lodge in your absence? Wishing you a pleasant and prosperous journey,
'Faithfully yours,

'WYNFORD.

'Tuesday, August 29.

'Chiselhurst, August 30, 1833.

'Colonel Fairman, Cannon-row, Westminster.

'Wynford.'

No. XLIII.

'MY DEAR SIR,—On the other side is a check for the eighteen guineas that I owe the Orange Lodge. I am sorry to hear of your illness. I am waiting for a letter from Dover (which I hope my servant, who delivers you this, may bring me), to set off to London, and from thence to Dover, where my daughter has been expecting me for this week past. On my return, should you be near London, I shall be happy to see you.

'Faithfully yours,
'WYNFORD.

'Colonel Fairman, Cannon-row, Westminster.'

No. XLIV.

'Gredington, September 10.

'MY DEAR SIR AND BROTHER,—It certainly is desirable that our enemies should be informed, through such sources of information as they will read, in what respects the Orange institution has been injuriously misrepresented. Great care, however, must be taken as to statement of facts, that we may not be accused of inaccuracy. *I think* his royal highness the grand master did not take any oath on admission, for, I think, every oath was discontinued previous to the admission of his royal highness. *It was otherwise with myself and our late illustrious grand master*. What is the present rule, however, is the only question worth considering, and now

we decidedly take no oath.* I expect my good friend Lord Wynford here on the 15th, to stay a few weeks, I hope. We have sad wet weather, and yet have much barley out. One of our most saleable productions, cheese, is advancing, which will be some relief, I hope, to our distressed farmers.

‘Ever your faithful friend,

‘KENYON.

‘Colonel Fairman,’ &c. &c.

No. XLV.

‘Lord Roden presents his compliments to Colonel Fairman, and has received his obliging letter; in reply to which, Lord R. would say that he does not think this by any means a favourable time for visiting the Orange brethren of Ireland. There is just now such strong feeling amongst them, and, Lord Roden is sorry to say, so much difference of opinion as to the processions, that he thinks it would be better to let that subside before the deputation of our English brethren went round. Lord Roden hopes that the Conservative meeting about to be held in Glasgow may strengthen our cause.

‘Tollymore-park, September 24, 1833.’

No. XLVI.

‘Eglinton-castle, October 4, 1833.

‘SIR,—I have the honour to acknowledge the receipt of your letter. It would give me great pleasure to attend any great Conservative meeting in Scotland, if the stewards or secretary honoured me with an invitation, and that I could accomplish being at Glasgow on the day of the meeting. At present, I am going on the 8th to Dalkeith, and on the 16th or 17th to Scone, after which I am not certain of my movements, or whether I shall not be obliged to return to Durham.

‘I remain, Sir, your very obedient servant,

‘VANE LONDONDERRY.

‘Colonel Fairman, his Grace the Duke of Gordon’s,
‘Gordon Castle.’

No. XLVII.

‘Gredington, Ellesmere, Oct. 20, 1833.

‘MY DEAR SIR,—I will forward our zealous friend Craigie’s letter to Eedes, to whom I wrote the other day, expressing my readiness forthwith to suspend, and if necessary to expel, some disorderly men in or near Bolton, who have shown something like a radical spirit. Watkins went among them gallantly, and we shall set them to rights, I trust. *Sawney takes some time to be well roused, but when he imbibes the heat of Orangeism he will not lose again.* I am every way grieved that our gallant northern duke is not in health to attend the Orange conservative meeting. *It is a great pity, too, that the amiable Duke of Buccleugh does not see the immense importance of his sanctioning such a cause as the Orange cause, identified as it is with the high conservative principles.* His grace does not yet see the difference between what may be, *perhaps*, expedient in respect to political leaders and placemen, as to temporizing, and what is the high station, as to abiding by principles and promoting them, which becomes men of rank and influence; nor how much more such a course would benefit the cause of party as well as that of truth, by principles. In Pitt’s time, and in the duke’s grandfather’s, much was done by high principles and zeal, which would not in many cases have emanated from Pitt himself. Their graces of Gordon and Buccleugh are the two men of Scotland to whom alone Orangemen and Conservatives look up with hope. The young Marquis Douglas will, I hope, from his high connexion with the high-minded Duke of Newcastle, train on well in time. My dear son and his bride seem as happy here as I could wish, and

* Tests, or declarations, as well as oaths, are equally prohibited in the statute which Lord Kenyon was desirous to evade.—ED.

possess the kindest wishes of all around them. My kindest remembrance to the gallant duke, and believe me

‘Your faithful friend and brother,

‘KENYON.

‘To Col. Fairman, Gordon Castle, Fochabers, N.B.
‘(Free) Kenyon.’

No. XLVIII.

March 29, 1834.

Lord Thomond’s compliments to Col. Fairman; he encloses him the subscription book and £20.

‘Lord Thomond begs to say that he pays an annual subscription to the Grand Orange Lodge in Dubln.’

No. XLIX.

‘DEAR SIR,—I returned from London too late to write to you by last night’s post. I have lately had so many things on my hands that I forgot to tell you that H. R. H., Lord Kenyon, and myself, discussed the propriety of purchasing the newspaper you mention, and were of opinion that there (are) many reasons (why) we should not make such purchase.

‘If we cannot get *The Dispatch* more favourably supported, it will be necessary that a Conservative paper should be published. But this must be undertaken, not by three persons, but by the Carlton Club.

‘I think it highly probable that something will soon be done by the Club.

‘In the mean time I must decline putting myself forward. I am just returning from Seven Oaks, and the letters are going to the post.

‘I am, in great haste, faithfully yours,

‘WYNFORD.

‘Chiselhurst, April 11, 1834.

‘Colonel B. Fairman, P. O., Birmingham.

‘Wynford.’

No. L.

‘Gordon Castle, July 27, 1834.

‘MY DEAR SIR,—I return our most excellent friend’s letter; it pleases me to find that he thinks I did my duty at Glasgow. The exertion was great, but the dinner did good to the true cause. I am glad that the unprincipled ministers remain to do more mischief, as yet we are not ready for a change; in six months I think a Conservative cabinet will be able to stand their ground against Whigs and Radical united, for the tide is turning. May we live to see better times. I am getting ready for the hills.

‘Believe me yours, very sincerely,

‘To Colonel Fairman.’

‘GORDON.

No. LI.

‘Gordon Castle, Oct. 21, 1834.

‘MY DEAR SIR,—Many thanks for your polite attention; the communication gives me real concern, and causes serious reflection. These sad events should open people’s eyes, and one in particular; but the Lord Chancellor is a very dangerous man, and at last the world will find him out. His tour in this part of the country has done us good. Sir George Murray’s dinner at Perth has brought good men together, and on the 29th I am to preside at a dinner in Aberdeen, given to Captain Gordon; seven hundred are expected; and every man must do his duty.

‘Winter has come upon us, and we feel it the more after the fine weather we enjoyed. I trust your health is good.

‘Ever, my dear Sir, yours very truly,

‘GORDON.

‘Addressed Fochabers, Oct. 1834,

‘Col. Fairman, Falkland Cottage, Lambeth, London.

‘Gordon.’

No. LII.

Gredington, Sept. 3, 1834.

‘MY DEAR SIR AND BROTHER,—I have not received back from Encombe your letter suggesting an alteration in the rules. If you have to suggest anything special, or *supplementary*, which would probably be better, as consequently temporary instead of permanent, let me know again. I am now fixed here I hope, with little variation, till February next; and you will be glad to hear a good account of all most dear to me, and that my neighbours here seem very glad to see us returned.

‘Believe me yours truly,

‘KENYON.

‘P.S.—I shall always direct Cannon-row; I always presume there is no alteration from my corrected copy, if you don’t point any out to me.

‘To Colonel Fairman.

No. LIII.

Gredington, September 13, 1834.

‘MY DEAR SIR AND BROTHER,—I wish you would be so good as to send me the *ipsissima verba* which you wish to introduce to prevent disloyalty among our brethren; but be so good as to send it under weight, as to-day’s letter has cost me 3s. 8d. What you propose to insert I presume you mean to do as required at the present moment. Be so good, therefore, as to state also the grounds on which you consider it necessary. I think the castigation if given, had better be given as an hypothesis, so as to let those apply it who feel it to be due to them. A reprimand to a whole body constituted like our O. I. would do any thing but good; certainly if the whole body were rotten, it had better be dissolved and renewed; but that could only, perhaps, be after communication with the sound heads or sound members of the different lodges. *I am very sorry to hear of your taking up money from the money-lenders.* I think our lodges should be called upon, on pain of suspension, to pay up all that is due on the *old* rules forthwith, and be urged to pay as required by the revised rules of the O. I. Before very long I shall probably be in Lancashire, and will endeavour to see Major Watkins. I expect my excellent zealous friend Lord Wynford here in two or three days.

‘Ever your faithful friend and brother,

‘KENYON.

‘Addressed, Ellesmere, September 14, 1834.

‘To Col. Fairman, 3, Cannon-row, Westminster.

‘Free—Kenyon.’

No. LIV.

‘Peel-hall, September 19, 1834.

‘MY DEAR SIR AND BROTHER,—In this, by another cover, I return your papers. I have paid my best attention to all your suggestions, as I did before to those heretofore proposed to be admitted. Let enough be printed for present distribution, and on economical principle as to the No., which you understand, and I don’t; and pray let it, after the lapse of above three months, be finished. I have been too busy to see Major Watkins, and return on Tuesday to Gredington.

‘Ever yours faithfully,

‘KENYON.

About Circulars.—Bolton, September 20, 1834.

‘To Col. Fairman, 3, Cannon-row, Westminster.

‘Free—Kenyon.’

No. LV.

‘Portman-square, April 27.

‘DEAR SIR,—I heartily wish I could hope to be of any use in applying at Chelsea in behalf of the writer of the enclosed. I think we had better communicate it to his royal highness, as he is the only person, except yourself, who can judiciously interfere in *military matters* connected with the Orange institutions. I hope your attack

is going off, and that we shall have a thoroughly amicable meeting next Friday. Brother Mair seems very frank and well meaning. If you could get Mr. Knipe, who is a favourite, I think, with his royal highness, to attend, it would be well.

‘ Ever, my dear Sir, faithfully yours,

‘ KENYON.’

No. LVI.

(Copy.)

‘ 23, King-street, Westminster, Tuesday Evening.

‘ MY DEAR SIR,—By returning the Palladiums, with a small packet of letters from kings and princes I left for your perusal, you will oblige me very much. As circumstances will at length compel me to seek a compensation from royalty, for my services and surrenders in their service, should not an appeal to their justice, made confidentially and respectfully, in the first instance, be productive of the desired end, I shall enforce my claims through the medium of the press, both in pamphlets and papers, when a dread of exposure may prompt them to do that which ought to have emanated from a sense of gratitude.

‘ Most faithfully yours, my dear Sir,

‘ WM. BLENNERHASSETT FAIRMAN.

‘ P.S.—Mr. Aburrow will do me the favour to take charge of the above, when it shall suit your own convenience to hand them over to that gentleman.

‘ To D—— C——, Esq.’

ART. IX.

THEORY AND PRACTICE.

• • • A DIALOGUE.

X. SIR, I am no theorist.

Y. Will you then give me leave to ask what you are?

X. I follow experience.

Y. You will probably accuse me of only starting a foolish paradox, if I affirm that experience and theory are the same; and that, of course, in saying that you follow experience and not theory, you declare your ignorance of both.

X. What, sir, theory and experience the same! Are they not direct contraries—the one opposed to the other?

Y. In my opinion they are not; and I am willing, if you think it worth your while, to enter upon the inquiry with you; and to seek for the means of determining whether your opinion or mine be correct.

X. There can be no means of showing me that experience is the same with theory. Why, sir, is not theory speculation, and is not experience practice? Are not practice and speculation opposed to one another?

Y. I admit that the terms are often opposed to one another. Many a man speaks of the one as good, the other as evil; but in the minds even of those men there is no opposition in the ideas.

What they praise under the name of experience, is theory ; what they blame under the name of theory, is practice. .

X. This is potently affirmed ; you are on a way to reach the summit of paradox in time.

Y. I expected your accusations. But accusations, if they are not just, need only to be examined. I am, therefore, anxious to commence with you the examination of yours.

X. Well, sir, will you begin ?

Y. Willingly, if you prefer that I should. . You think there is a great difference between theory and experience. If I ask you to state the difference, do not accuse me of seeking in inanity the reputation of subtlety. I wish to narrow, as far as possible, the field of our investigation, and imagine that this single question involves the whole. I deny there is any difference ; you say there is ; it is for you to show what it is.

X. It seems no difficult matter to state the difference between theory and experience. In following experience we follow facts ; in following theory we follow fancy

Y. The difference you adduce is the difference between following facts and following fancy. What we have to do, then, is to compare the following of facts with the following of fancy. But in order to do so we must compare the ideas, and not merely the terms. We must, therefore, begin by stating the ideas.

X. We must do so.

Y. Will you then state what appear to you to be the ideas respectively designated by those two expressions, or will it be more agreeable to you that I should state them ?

X. As you propose to make the comparison, it seems convenient that you should place in your own light the things to be compared.

Y. To this I have no objection, provided I carry you along with me ; otherwise you are sensible that my comparison would not answer our common end, that of a mutual discussion.

X. Certainly not.

Y. I can only know that I carry you along with me, if you allow me, setting aside thus far the laws of modern politeness, to put my statements in the form of questions, you signifying in reply your assent or dissent.

X. I see that the form of question and answer will give facilities to our disquisition, and that the substance of politeness may be preserved though we dispense with some of its formalities.

Y. The first thing I have then to do is to set forth the ideas involved in the phrase ' following examples.'

An example is a past fact ; it is an event of yesterday, or the last week, or year, or more distant period. But it is not every

event which is an example. A man died last week, a bird flew in the air: these are events, but not examples, meaning by example an act to be repeated. An act to be repeated, or an example to be followed, is an act followed by certain consequences. These consequences also must be agreeable consequences. Does this accord with your idea of an example? Shall we call it a past act followed by agreeable consequences?

X. This seems to be the proper account of it.

Y. But a past act is a thing done, and cannot be revived. There may be a series of acts one after another, but for an act to be after it has been is an evident impossibility. Your act of to-day is not your act of yesterday, nor is your act of any one moment that of the preceding moment. When an act is finished it is gone, and gone for ever. What then is it that you mean by following a past act?

X. Doing one that is like it.

Y. Expecting, I presume, a similar result. Because a man who has thrown corn on the ground has reaped a greater quantity than that which he sowed, we too throw corn on the ground expecting a similar advantage.

X. Expectation of a similar result is doubtless included in the idea of following an example.

Y. An example, then, is a sequence; it includes at least an antecedent and a consequent.

X. It does so.

Y. This is one point of importance, and we may consider it settled; but here we have to remove a difficulty. A solitary fact yields no guidance. It is an admitted principle that from an individual instance no conclusion can be drawn. A man may have fallen from a high tower and have received little injury; he who should follow this as an example would probably pay dear for being so practical a man.

X. I think, sir, you may here be accused of some misrepresentation. In defining a practical man, two sets of cases are to be distinguished; the cases which may be regarded as constant, and the cases which are accidental. Practice does not follow the latter, but the former.

Y. You say well, sir, and have gone a great way towards proving my proposition, that what is called practice is in reality theory.

X. How you are to make good that affirmation it is for you to discover.

Y. It is so; then observe. Did you not say that practice was following cases of constancy?

X. Yes.

Y. What is it then we understand by cases of constancy? Is it

not cases in which like antecedents' have been followed by like consequents many times?

X. It is.

Y. But to follow these cases we must know them: to follow them without error we must know them accurately, and distinguish them in every instance from cases merely accidental. It is very evident that all good practice must depend upon this knowledge, and whatever contributes most to render this knowledge perfect and unerring, contributes most to the perfection of practice.

X. No one will dispute that proposition.

Y. We acquire our knowledge of a case of constancy by having observed the event—an antecedent followed by a consequent in a variety of instances—first one, then another, then another, and so on. Having observed these instances we remember them; so far our knowledge consists of the remembrance of our observations. But this knowledge is only of the past; all practice regards the future. You will to do a certain thing not yet done, and you will to do it for the sake of a certain consequence. How is it that your knowledge of the past becomes a guide of the future?

X. Nothing is easier than the reply to that question. As things have happened in the past, so do they in the future. This we have always observed, and this we expect.

Y. That you expect, it is true; but how do you expect it? Why should things be in the future as they have been in the past?

X. The reason is because they have been always observed to be so.

Y. A like antecedent has been followed by a like consequent, not once, but many times. The remembrance of this is the first step of the proceeding which you call practice; the second is the act, performed by you under expectation of the usual consequence: the expectation, you say, grounded upon the remembrance. But the grounding of an expectation upon a remembrance is a metaphorical expression, and ought to be translated into simple language. Will you have the goodness to do so?

X. It may be done, I imagine, thus:—the antecedent *A* has been constantly followed by the consequent *B*, therefore the antecedent *A* will be constantly followed by the antecedent *B*.

Y. That is to say, you frame from your past experience a general theorem: having observed that *A* has been followed by *B*, you say, indefinitely, *A* is followed by *B*; and on this theorem you ground your practice. According to you, therefore, to draw up a theorem from observation of the past, and to act upon it, is practice?

X. It is.

Y. But is it not also theory?

X. How do you make it appear to be theory?

Y. Because theory consists in drawing up a theorem for the guidance of the future from the observation of the past.

X. That I should not call theory at all.

Y. Do you know any theory that is any thing else?

X. Certainly I do—many; for example, the vortices of Descartes.

Y. As you began this discussion by expressing a preference of experience to theory as a guide of practice, I concluded that we had in view only that class of theories which have a reference to future practice; not those attempts sometimes called theories, to account for certain phenomena, that is, bring them under some law which is already ascertained. The nature of this last class of theories I have no objection to discuss, as the consideration will confirm rather than invalidate the proposition I maintain. But as they are things which, though often confounded under one name, are very different in their nature, I should wish, with your leave, to confine our attention in the first instance to theories forming the groundwork of practice, such as the mercantile theory in political economy, the Brownian theory in medicine. Do you know any theories of that kind which are not essentially theorems drawn up from the observation of the past for the guidance of the future?

X. Yes, I think I can mention various theories, the mere offspring of fancy as I called it at the beginning; the fancy, for example, of the alchemists about finding gold.

Y. It is not a very apposite example, as it may be alleged to partake more of bad practice than bad theory; unless you will call the gamester a theorist, and tell us that he commits his folly by quitting practice and pursuing theory.

X. This is a forced similarity, and neither proves that the gamester is a theorist, nor disproves that the alchemist is one.

Y. A short examination will show us whether the similarity is imaginary or not. The alchemist has observed very strange and unexpected results from chemical compositions and decompositions. He says to himself, why may not gold be among these results? He sees no reason why, nor can any man see a reason why. So far he theorizes, and so far only; and so far he proceeds correctly. He next advances to practice, and there he errs. The gamester has also observed very strange turns of fortune at the gaming table in favour of various individuals as well as himself. On each renewed occasion he says to himself, why should there not be a turn of fortune highly favourable to me on this occasion? No man can deny that there may be. Thus far he

also theorizes, and theorizes correctly. He proceeds, however, immediately to a practice which is wrong. Is there not now something of a similarity?

X. There is the appearance at least of a similarity; but there seems to be also an essential difference. Because certain remarkable things have resulted from certain known chemical operations, to suppose that gold will result from certain unknown chemical operations is a very different thing from expecting that dice will turn up in a way in which they have turned up before.

Y. All comparisons hold only in certain respects. A dog taking arsenic and a man taking arsenic are very different things; with respect to the arsenic and its effects the cases are similar. So in the cases of the gamester and the alchemist, the similarity to the purpose in hand is complete. In the case of the alchemist there is a chance of his making gold, but there are many chances against him; in the case of the gamester there is a chance of his having good luck, but there are many chances against it. Each of them chooses to act upon the one chance and disregard the many. This is not theory: all theory shows that the many chances are better than the few. The instances you have produced are not, therefore, instances of theories drawn up from fancy. It still remains to be known if you can produce others which are.

X. Though it may not be possible to produce a theory which has not some reference to facts, which is not in some degree founded on the observation of the past, (for any theory laid down for the guidance of the future, which is not in some degree founded on the past, would be a mere exhibition of insanity,) yet I think any theory drawn from a very insufficient observation of the past, any theory inconsistent with facts and an erroneous guide for the future, may be justly enough denominated the creature of the fancy.

Y. If we give up the existence of theories which are not founded on the observation of the past, and allow that all theories are founded on it, we have then but two classes of theories—those which are accurately founded on an observation of the past, and those which are not accurately founded on it. The former, I suppose, you would not call fancies, but only the latter.

X. Only the latter.

Y. I have no objection to your calling them by any name you please, provided only you do not confound them with the other; and having advanced thus far it is time to see what conclusions we are prepared to draw.

X. I shall be happy to hear what they are.

Y. We have seen that all practice, all at least which deserves

the name of rational, is founded upon an observation of the past, have we not ?

X. We have so.

Y. We have also agreed that all theories are founded, though some correctly, some incorrectly, upon an observation of the past. Theory and practice therefore are both founded on the same thing.

X. They are so; but few theories are correctly founded.

Y. Is there not such a thing as erroneous practice ?

X. There is, but not so common as erroneous theory.

Y. Is not erroneous practice that which is not correctly founded upon the observation of the past ?

X. I tis.

Y. Is not erroneous theory that which is not correctly founded upon the observation of the past ?

X. It is.

Y. Error of practice and error of theory then are both owing to the same thing ?

X. It seems so.

Y. We have said that all practice, which is the producing antecedents for the sake of consequents, is acting according to the remembrance of constancy in many instances ?

X. We have.

Y. The remembrance of the constancy of sequence in many instances, when put into language, is a theorem. Thus, corn thrown into the ground produces corn, and the quantity produced is greater than the quantity producing. This is the remembrance of a constant sequence, and it is a theorem. The practice of sowing corn, is founded upon this remembrance; it is, therefore, founded upon the theorem. Is it not so ?

X. It is.

Y. But what is the difference between a theorem and a theory ?

X. They seem indeed to be pretty closely connected.

Y. The theory is merely a name of the thought or idea, and theorem is the name of the proposition which gives it expression.

X. It seems so.

Y. In following a theorem, therefore, or the remembrance of a constant sequence, we are following a theory; and as all practice follows this remembrance, all practice is founded upon theory, and there is no practice without theory ?

X. I cannot deny that it is so.

Y. But if there is no practice without theory, it is altogether absurd to set practice in opposition to theory; and those people who condemn others by saying you follow theory, and extol themselves by saying we follow practice, only show the wretched state

of their own minds; they know not what practice is. When a man says that he follows practice, he says by the same words that he follows theory. All men, therefore, in every rational action of their lives are followers of theory; and they may be divided, may they not, into the two following classes—those who follow good and those who follow bad theory; the first sort acting always right, the second always wrong?

X. The conclusion is legitimately drawn.

Y. The inquiry then of principal importance is what are the properties of a good theory and a bad?

X. Certainly.

Y. We have already made some progress in that inquiry. We have seen that in the formation of all theories the object is to ascertain a case of constant sequence; when that is correctly ascertained and correctly expressed in words, the expression may be said to be a correct theory. Any set of words, on the other hand, which professes to set forth a case of constant sequence, but sets forth as constant a case that is not constant, or sets forth one that is, incorrectly—such set of words may be termed a wrong theory. May we not assume these, as just descriptions of good theories and bad theories in kind?

X. I think we may.

Y. But good theory as a kind is a very lumping expression, and combines species which he who would arrive at clearness of ideas on this important subject must not neglect to distinguish.

Of two theories, each the expression of one constant sequence, the sequence expressed by the one may be a sequence on the due or undue observance of which much of human happiness or misery may depend; the sequence expressed by the other may be one with which good or evil to mankind has little or no connexion. Thus, the sequence of night and day is one, the knowledge of which is of vast importance to mankind. The regular revolution of the satellites of Jupiter round that planet is a sequence, the knowledge of which is of little importance. Theories are of importance, therefore, in proportion as the sequences of which they are the expression have much or little influence on human life.

X. That is true.

Y. A theory may express correctly the tracing of a sequence, but a tracing which has proceeded only a certain way. A theory may also express correctly the tracing of the same sequence, when the tracing has proceeded a greater way. The theory expressing the tracing which has gone the furthest is of course the most valuable. Instances to illustrate the observation are innumerable. The tendency of bodies to the earth was traced at an early

period, and the sequence was at last correctly expressed in the theorem, that the tendency of bodies to the earth, or the time required in falling to it, is as the squares of the distances. The sequence was traced much further when Sir Isaac Newton discovered that the same law regulated the motions of the planets, and to this enlargement of the comprehensiveness of the theory the greatest honour was attached.

X. And very justly.

Y. We may, therefore, lay it down, with your consent, as a rule, that a theory is always the more valuable the greater the extent of sequence which it correctly announces. This, in reality, is neither more nor less than saying that more knowledge is better than less.

X. The truth of this is sufficiently clear.

Y. Every theory, therefore, the more general and comprehensive it is, the more valuable it is.

X. Certainly.

Y. The man whose mind contains the greatest number of general theories, is the man best furnished for correct practice; the man whose mind contains the smallest number the least.

X. I see it is so.

Y. The whole business of philosophy consists in the endeavour to render each theory as comprehensive as possible. The whole business of philosophy, therefore, is to furnish men as completely as possible for practice; and the best philosopher is by necessary consequence the best practitioner.

X. It must be so, however wide of my former notions.

Y. The evidence is irresistible. All practice proceeds upon the supposition of an ascertained sequence, meaning by sequence constancy of sequence. As far as the sequence is correctly ascertained, that is, as far as the theory goes, the practice founded on it is correct. Suppose a sequence in regard to the human body ascertained as far as the entire species is concerned, this collected information, or theory, is of far more importance than if the sequence had been traced as far only as men of a particular description. Suppose the sequence is next traced through horses: the theory is now enlarged, and is so much the more valuable. It would receive an additional value if the sequence were traced through another species and another; it would become exceedingly valuable if it were traced through all; and it would become the most valuable possible if the sequence were traced through all the objects of which our system is composed.

X. It would so.

Y. It thus appears, that the proper business of philosophy is to trace every sequence as far as possible, and ascertain its greatest extent. It is very often found that sequences, which at first view,

appear to be different, and to constitute a variety of species, are, when more closely examined, found to be one. And it is not at all impossible, it is on the other hand very probable, that all the changes which we observe in this world, innumerable as they seem to be, may be the result of a small number of sequences, traceable through all terrestrial beings.

X. I allow it all.

Y. If philosophy shall ever discover these sequences, and it is making constant advances, all knowledge competent to human nature will be correctly summed up in a few propositions; and mistaken practice will be no longer possible.

X. What a magnificent idea you present of the importance of theorizing, and what a revolution you have produced in my mind since our conversation began!

Y. From this doctrine it is very difficult not to draw some practical conclusions.

X. Why should we abstain from drawing those conclusions if we think they are of importance?

Y. I am willing to give a specimen of them if you consent.

X. I heartily consent.

Y. We have seen that the language which contrasts theory and practice, setting the one above the other, is the very consummation of ignorance—that it proves a man to be unacquainted with the very first elements of thought, and goes a great way towards proving his mind to be so perverted as to be incapable of being taught them.

X. It is impossible not to assent to this.

Y. This appearing with a clearness and cogency of reason not inferior to demonstration, let us next turn our eyes upon a few historical facts. The language, demonstrative of this ignorance, has been a prevalent language in our two Houses of Parliament time out of mind. Our leaders in Parliament have always used it so profusely as if they did it in emulation of one another, and as a proof of their wisdom. We need not go too far back; let us begin with Pitt. It became a settled formula with him and his school. Fox was not behind him, in a nimble use of the same instrument; nor Windham, nor Grenville. Burke outran them all. Nor has there been any intermission. All the great men who have taken the lead in Parliament, from these men to the present, the greatest of all (the present are always the greatest), have been equally eager in the use of the same language, and have taken equal credit to themselves for the reach of mind which it displayed. History will find its advantage in this. It affords a measure of the men, perfectly accurate. They great men, who do not know the relation of theory to practice, and of practice to theory!

Another melancholy fact is, that this language, the offspring

and display of the most deplorable ignorance, has always been peculiarly acceptable to the Members of both Houses of Parliament. They crowd, and look triumphant whenever they hear it. Whenever a great man gets up, and with a commanding voice and manner says, 'Away with such or such a scheme of improvement! We will have no theories! Give us practice!' the *hear him*s are more fervent than on almost any other occasion.

The Scripture tells us that on one occasion our Lord said, 'My people perish for lack of knowledge.' Well may this be said of the people of England, when their rulers in both Houses of Parliament have their heads in such a state.

The cry of practice against theory began to be used when the force of the cry against philosophy began to grow feeble, and it grew rife as the cry against philosophy died away.

The cry against philosophy was raised as soon as the eyes of the public began to be prying. There is never anything which needs amendment in the state, but there are numbers of men who see it is their interest to fight against the amendment; because they make their profit out of the abuse. All this disposition to pry into abuses was imputed to philosophy. If philosophy, that is, the disposition to inquire, could be successfully cried down, men would be quiet; and those good things which good men had so long enjoyed at the expense of others, would rest in peace. The clergy of such a church as the Church of England form the great section of the men who fight against amendment. Their establishment being altogether one overgrown abuse, a desperate attachment to abuses is a necessary part of their nature. Philosophy, therefore, they have always treated as their great enemy. Their accusations, like those of all impostors, are vague. Philosophy was very dangerous to men's souls. The clergy are always remarkable for their care of men's souls, when it is synonymous with care of their own interests. Philosophy being dangerous to men's souls, God hates philosophers; and philosophers hate God. This foundation well laid, everything followed of course.

But men began to distrust the clergy. They found that philosophy was a thing originally of good repute. The highest eulogiums, and by the wisest men, had been bestowed upon it. Also, when they began to look into the thing itself, they could easily perceive that though there might be evil in it, there was also good. Men might be the better for it. What, then, could be the reason of the abhorrence of the clergy? That soon appeared. The light of philosophy made apparent the enormous abuses accumulated in such a thing as a corporation of priests set up with exorbitant wealth, and hence influence and power. The outcry against philosophy immediately lost a great share of its power, and the statesman needed a more usable instrument. Practice

against theory was found very suitable to his purpose, and accordingly it superseded the other. Not but that a sneer at philosophy is still very acceptable to honourable and noble houses. To call a man a philosopher, in the way of contempt, is still sure of a cordial cheer; and it is probable that the two Houses of the British Legislature will be the last places on earth where, in an assembly of men pretending to be educated, philosophy will be treated with disrespect.

P. Q.

ART. X.

ENGLISH LITERATURE OF 1835.

TO read much, but not many things, is an old direction, applicable enough to the age in which it was propounded, but difficult to comply with in the present day, if we are to partake of the literature of our own times, for the select books of a very short period would form a larger library than was in the contemplation of the author of the rule; and even an attempt to make the selection would involve the reading of *multa*, ere the lover of literature could study *multum*. To spare its readers some part of this labour of selection is one of the especial duties of a review, and it is one of which we have not been unmindful; but, in addition to the notices we have given from time to time of such books as from their objects, the facts or ideas they contained, or their literary excellence, seemed to require separate consideration, it may be useful to take a general survey of all the more noticeable books of the past year, with a view to compare their literary characteristics with those of a former period, to describe the object, scope, and character of each, to indicate their relative grades of excellence, and to estimate the results of the whole.

The literature of 1835 will be found fully to bear out the remark commonly made on the later as compared with the earlier literature of nations, that in the department of pure belles lettres it is inferior, although superior in works of a more scientific and practical kind. This superiority of the early writers of a nation has often been noticed, and usually attributed to the accidents of their position, which compelled them to gather their notions and images fresh from reality, and enabled them to select the most striking—an opinion certainly true (for, having no one to copy, they must perforce be original), but scarcely the whole truth. The utmost novelty of subject will avail a man little without perceptive and observing faculties of a high order. The creative faculty, moreover, must exist in considerable perfection, or the writer would be unable to contrive the general structure of his work; since, having

no examples to copy from, the minutest parts of his scheme must be the result of thought, and not, as in later days, be produced by an imitative dexterity, or a mechanical attention to rules. When this rare combination of qualities exists, the product is perhaps less likely to appear immaturely than in a later stage of society; from the small profit which has been the proverbial recompence of great genius. As civilization, however, advances, and literature grows into general esteem, to write becomes an easier undertaking; greater mechanical facilities of publication exist, and some kind of demand for books springs up; with every increase of readers the number of authors increases, until, at last, writing becomes a mere accomplishment, the amusement of the idle, or a mere trade, and not unfrequently a trade which is resorted to by those who have failed in other occupations. Hence the preference of nations for their early writers is not the result of a blind prejudice, but arises from the nature of things. Yet though it be hard to paint truly the external forms of nature, or to depict with accuracy and vigour the manners and characters of men, or justly to observe the course of human life, and accurately to note its effects, it is still more difficult for a single mind to master the hidden qualities of things. Hence, at a period when some classes of poetry and works of fiction are produced in perfection, science, in an extended sense of the term, is at the lowest ebb; but as society advances, the means of scientific observations increase. The wheel revolves, and in the maturity and decline of belles lettres the highest classes of books are produced by non-professional authors—by men who are addicted to some speculative pursuit, or are extensively engaged in the affairs of life. What genius and circumstances did for the writers of earlier ages, disposition and habit do for them. They give to the preparation of their works the unconscious labour of years; they thoroughly master their subject before they think of publication, and bestow more time upon the execution of their task than the mere bookmaker can afford to give from conception till completion. In fine, the stored and teeming mind of the one suggests the idea of a book; the other stumbles upon a subject, and then begins to look out for materials for a volume.

The best works of the past year—those which exhibit the highest excellence, and promise to occupy the most permanent position in English literature—will support this opinion. They are written by men who have studied the subjects upon which they wrote; and they have been produced with some higher motive than the profit of the copyright, or ulterior objects of interest or vanity. It is a cheerful and a significant sign of the tendencies of thought, that each of these productions treats of matters of the first importance to man-

kind, and that in no limited way. One, investigating the physical organization of man, has an interest as boundless as the geographical distribution of the species; the others, considering the laws which regulate our well-being when collected in society, have relations as extensive, if not so uniform. Excluding Tocqueville's 'Democracy in America,' (Mr. Reeve's translation of which, though a most important addition to our literary wealth, cannot strictly be rated as belonging to English literature,) these works are three in number; and they may be classed under the head of

PHILOSOPHY.

They fall under that category of the division which Gibbon proposed for his own guidance in letters, and should not merely be read, but studied. To treat them at length is not consistent with the scheme of the present paper, even if one of them had not already received elaborate notice in both the London and Westminster Reviews. It is only proposed to state the leading objects and describe the general character of

1. The Philosophy of Health. By Southwood Smith, M.D.
2. The Rationale of Political Representation. By the Author of 'Essays on the Formation of Opinion,' &c.
3. Dissertation on Church Polity. By Andrew Coventry Dick, Esq., Advocate.

The end of Dr. Smith has not yet completely disclosed itself, so his work is unfinished. He appears, however, to aim at establishing a series of general rules for health, by (1) popularly explaining the nature of the *substances* of which man is compounded; (2) describing the various *structures* and *organs* of the body, and the different functions they perform; and (3) deducing the laws that the creature is enjoined by the principles of its creation to obey. Indications, however, are scattered up and down the volume, that this is merely the basis for a higher philosophy, which, tracing much of our vice to our diseases or bodily constitutions, shall establish the dependence of the *mens sana* upon the *corpore sano*. But this is merely hinted at, and the three other subjects are as yet in progress of development. The value of the first volume is therefore confined to that section which is completed, and this comprises a masterly view of life—of those organized bodies, from a blade of grass to man himself, which arise from an imperceptible germ,—continually increase by drawing nutrition from foreign matter, whose nature, by some potent but unknown means, they change and amalgamate with their own,—attain a maximum of size,—propagate their kind by a process as mysterious as their own existence,—endure in their prime for a certain period,—droop, die, and decompose, and contribute in other

forms of being to carry on that system of universal change, which, though constantly varying in form and manner, is effected by uniform laws. Thus, for instance, the spongiolar process—the visible principle of action by which nutrition is carried on—is the same in the meanest plant and the highest animal, though exquisitely varied to accomplish the various ends of nature. Air, again, is as essential to the life of plants as of animals; with this difference, that the law by which the lungs incorporate oxygen with the blood, giving out carbon instead, is reversed in the case of plants, which inhale carbon and give out oxygen; whilst the countless forms of life that inhabit the world spring from the simplest substances, and themselves, in their turn, exist to minister to existence, vegetables drawing nutriment from earth and water, the herbivorous animals sustaining life by vegetables, the carnivorous feeding on them, and man on all. Rising next from organic to animal life, from bodies that only grow to bodies that move and feel, Dr. Smith expounds the stomachic principle by which voluntary motion is rendered possible; and, taking man as his grand exemplar, proceeds to show the means adopted to create sensation; points out the indispensable necessity and uses of pain, (as we are at present constructed,) not only to health, but to life; indicates the processes by which nature trains the mind to perceive and think; and, in a passage of remarkable power and force, takes a general view of the physiological progress of a human being from its first appearance in the embryo state until the final extinction of life, and the subjection of the inanimate body to the power of the material laws which are to decompose it.

The end of the 'Rationale of Political Representation' is to fix the true objects to which the exertions of government should be directed, and to prove that, whatever is the form of the executive, it can only be effectually and permanently restrained from evil and stimulated to good by means of a wise representation of the people; and, having established these two points, the author proceeds to inquire into the respective qualifications that should be required from representatives and electors, the duties they ought to perform, and the manner in which the representative principle can be most completely and effectually carried into practice.

In 'Ecclesiastical Polity,' Mr. Dick examines this important question,—whether or not a state should attempt to provide for the religious instruction of its subjects; and especially whether it should connect itself with any particular religious doctrine, and of course with the priests who profess to expound it; that is, in other words, whether some religion should be *established as the only true faith*, or, the state not being admitted a judge of the truth

of creeds, the ministers of each should be maintained without reference to the merits of their respective dogmas: and, after investigating the nature of belief, the difficulties of discovering which is the true one, as well as the inconveniences and persecutions that cannot fail to spring from any attempts of the secular power to interfere between God and conscience, the author turns to history, and deduces from actual experience the conclusion to which speculative reasoning was conducting him,—that whether we desire an unsecular religion, or zeal and devotion in its pastors and disciples, or safety to the state and simplicity in the working of the executive, the establishment of the Voluntary Principle is the True Ecclesiastical Polity—the power of acquiring property, however, being expressly forbidden to all congregations of religionists, lest, by speculating upon the repentance, the fears, or the weakness of mankind, the independent churches, like the Roman hierarchy, might in time acquire, by means of their worldly possessions, a temporal power dangerous to the community.

Such are the subjects and scope of these three works: their literary character is next to be considered, and in this light they possess great, but various, kinds of merit. As regards a perfect mastery of his subject, the highest place must be assigned to Dr. Smith, partly because its tangible nature enables an observer to profit more fully by the labours of others, and to rely with greater certainty on his own experience and observations,—partly because the daily avocations of the author have rendered it his duty to familiarize himself with the facts of which he treats. His arrangement, too, if not so formally unfolded at the outset as by his philosophical co-makers, is perfectly clear and orderly; but in the art of composition he falls below them, his style being rather clustered and involved, and chiefly dependent upon the knowledge which it conveys for the pleasure which it yields. But to the non-professional reader this knowledge is so new, and of so comprehensive a kind—the principles unfolded are so wonderful and so interesting—that the fault of a somewhat formal manner is readily forgotten; and there are passages, and not infrequent either, when the weight and fulness of the matter, and the surprising nature of the operations described, produce a massy and most impressive eloquence.

In fixing the relative positions of the remaining two, it is probable that 'Ecclesiastical Polity' is entitled to the foremost place, if considered merely in reference to its literary character. The subject is of a less complex nature than the objects of government and the rationale of representation, which Mr. Bailey undertakes to unfold; it was, therefore, an easier task for Mr. Dick to exhaust the points connected with ecclesiastical polity, and to present them

clearly and in a small compass. A similar remark applies to the conclusion he had to form, which was simply yes or no. Mr. Dick's style, too,—if less severely simple than Mr. Bailey's, being apparently used as a means for displaying acquirements as much as for conveying ideas, is clear, close, and varied, although laboured to a slight degree of heaviness. He has a vein of polished irony, which conveys a reproof or exposes a fallacy in the artful guise of a compliment, and he has attained the calm and lofty spirit which befits a philosophical expounder. In polite literature he seems to excel his competitor, and probably in acquired knowledge. Although resting his conclusions upon abstract principles, he does not, like the author of the 'Rationale,' proceed almost exclusively in the *à priori* method, but illustrates and confirms his views by references to history and specific experience. In one point, however, Mr. Dick falls behind the other: he has not succeeded in fully impressing the reader with his impartiality. In the work of Mr. Bailey there *may be* mistaken opinions—for what human intelligence can guard against error? the reader, however, feels satisfied that he has the unbiassed determinations of an acute, accomplished, and investigating intellect, which has thoroughly studied the subject it discusses: but in 'Ecclesiastical Polity' the vocation of the man seems to have influenced the author; there appears more of the interest of the advocate than of the rigid indifference of the judge.

HISTORY

seems properly to claim the next place in this *coup d'œil*; for, after the scientific examination of those laws which relate to the animal economy of man, or which affect his happiness in the social union, the narrative of the aggregate actions of some section of mankind, with the conclusions to be deduced from them, naturally follows. The year 1835, however, was not prolific in history. It has yielded nothing that may be ranked in the first class of historical productions; and indeed the only book that has strictly the historical form is Alison's 'History of the French Revolution.' The period which the third and fourth volumes of this writer embrace, extends from the overthrow of the reign of terror to the establishment of the empire. As an historical compiler Mr. Alison is entitled to praise. His narrative is condensed and flowing, his images are well selected and vividly presented, and his style, if none of the purest, is vigorous and graphic. The more striking passages in his volumes—the retreat of Suwarrow, the trial of Moreau, and many others—may be read with pleasure, as picturesque and forcible descriptions; and the work is useful as a compressed and well-arranged account

of one of the most striking periods in the annals of our race, although indebted for much of its interest to the greatness of the events it narrates, and for its merit to the author's acquaintance with the modern French historians. In other respects it has small value, and in some points of view is mischievous. The writer has little of that calm and philosophical intellect which can dissipate the mists of error, and reduce the shadowy god or dæmon of the vulgar to the natural form and character of man. Still less capable is he of drawing moral lessons from the events he is describing, and thus of making history useful. Nor does his narrative well enable the reader to do it for himself, for, although the personal honour of the author may prevent him from distorting facts, his party prejudices misrepresent motives, colour the connexion of events, and stain his reflections with folly or untruth.

In addition to the 'History of the French Revolution,' two other books have appeared with 'History' and an eminent name on the title-page; but both 'Moore's Ireland' and 'Thirlwall's Greece' rather belong to historical disquisition. Of the latter we shall not say more at present than that we consider it of sufficient merit and interest to require a separate notice. Mr. Moore's first volume is a tasteful *delectus* from the most extraordinary collection of historical lies in the world; and Mr. Moore has arranged them with skill, presented them with an elegantly patriotic enthusiasm, and done as much as was in his power to give some degree of order to the *indigesta moles*. To those who would wish to have a *reflected* idea of what an Irishman will 'dare in history,' the sixty-fifth number of 'Lardner's Cyclopædia' is a desirable work. This, however, is its sole utility; for it has neither the solidity of truth nor the graces of fable. It is not fiction, but falsehood.

All these books are called historical. There is another, of the nature of materials of history, or at least of historical adventure, which is of sufficient importance to deserve a notice; and that is 'The Conquest of Florida,' or more properly, a narrative of De Soto's unlucky expedition to explore that province. But of this work a more detailed notice is prepared, and has been postponed from the pressure of other matter.

BIOGRAPHY.

Continuing an arrangement more natural than critical, Biography will follow Philosophy and History, the lives of individuals properly coming after the sciences which treat of our corporeal nature and social institutions, and the class of literature which recounts the transactions of nations. Of the interest of works of this kind it is superfluous to speak; they come immediately home to the business and bosoms of the bulk of mankind, and completely

touch those sympathies which respond but faintly to the greatness of history, the grandeur and universality of poetry, or the attraction of prose fiction. The ideal perfection of biography is attained when the adventures of the hero are striking and various, the manner and circumstances by which his character was formed and developed fully portrayed, and when the execution is distinguished by literary excellence, and possesses that idiosyncrasy which adapts it to the subject. These qualities seem never yet to have existed in combination, and a biography must be allowed considerable merit if it possesses only one of them. The best lives of the by-gone year contain, however, all these elements, though neither united nor fully evolved. The 'imperfectibility' of men's nature is visible in their lives. Either the man of mind had no adventures to narrate, or the man of adventure had no mind to develop; or, where the hero was indeed a hero, his exploits and his studies have been partially forgotten, or what materials remained have been indifferently manufactured.

It requires no very long consideration to decide that, of these lives, the 'Memoirs of Sir James Mackintosh' may claim the precedence. If it cannot be admitted that he filled as high a place in the world of thought as Exmouth and Picton in the world of action, still this priority must be assigned him on account of the higher order of his pursuits, and of the more polished manner in which the biographical information is presented to the world. This, indeed, is not much, if the contents of the two large octavos be closely analyzed. From the birth of the rhetorical lawyer till his twentieth year there is an autobiographical account, which describes with feeling his early domestic affections, his boyish school-days, his love of reading, the books he read, and his pastimes and studies at the college of Aberdeen. His daughter has supplied a deeply-interesting and apparently true narrative of his decline and death. Some friends of Sir James have furnished reminiscences; but of these only Mr. Sidney Smith's and Mr. Basil Montagu's have any pretensions to character. There are also numerous extracts from his letters and journals; they have, however, with few exceptions, no more relation to biography than his Lectures on the Law of Nature and of Nations. The remainder is meagre, without much of novelty or of use. The most important period of life—the period when external teaching has finished and self-education begins—when, by the circumstances then encountered, the character is coloured if not determined, and the unknown and unconnected aspirant for fame and fortune has to struggle with all the difficulties of starting; this period—which in the case of Sir James Mackintosh began with his first appearance in London as an Edinburgh M.D., and pretty well ended with the publication

of the 'Vindiciæ Gallicæ'—is passed over slightly and unsatisfactorily. We are told little more than that he idled away his time in London, supported himself by his connexion with the newspaper press, and married imprudently, against the wishes of the friends of both parties. The events in the rest of his life are narrated more distinctly, but the public papers would have given their leading stages—the Lectures in Lincoln's Inn Hall, the academic Defence of Peltier, the Recordership of Bombay, and his parliamentary career on his return to England, when he became the Nestor of His Majesty's Opposition, and wrote in the 'Edinburgh Review.'

Yet in all this large biographical promise and small performance, it cannot be denied that there is some resemblance to the hero of the tale. Like the witch in Macbeth, he was swelling with the grandeur of his projects. 'I'll do, I'll do, I'll do,' was his constant thought; but he allowed life to slip away in fugitive performances, and unavailing reflections on his infirmity of purpose, till decline overtook him in the midst of projects which, had he lived, he would never have finished. Perhaps, after all, it is better for his fame that it should rest upon his *capabilities*. As the antagonist of Burke, his name will be preserved in familiar mention, and his partisans may always point to the 'Introductory Lecture' as a specimen of elegant composition and polite criticism, and as affording evidence of extensive if not very careful reading. Would his character have ranked higher than these *indicia* of greatness have raised it, had he planned and executed any extensive design? It may be presumed not; for he wanted decision, depth, comprehension, and originality. He had none of the stuff of which immortals are made.

The reader should understand that the depreciatory remarks on the 'Memoirs of Mackintosh' are limited to its character as a biography. Regarded in the light of miscellaneous papers relating to Sir James, it may be recommended as an interesting collection. The letters written during his absence in India give a picture of his thoughts on public affairs, reviving the time of the Napoleonic wars, and showing what exaggerated fears (as the event proved) were entertained of this conqueror's power. The extracts from his journal relative to the customs, manners, and characters of the Indians are even now interesting; some of his metaphysical remarks are shrewd, and bolder than he himself would have ventured to publish; and his criticisms, if not always sound, exhibit thought and grace. The chief defect of the volumes is characteristic of their subject; the book is too big for the man.

Mr. Osler's 'Life of Viscount Exmouth' possesses one biographical requisite; the events of his hero's life are various and ex-

traordinary, and full of individual enterprise. The career of the admiral himself, too, affords a memorable instance of a man without interest, shining talents, or good fortune, (save in the opportunities of displaying his courage,) making his way to professional eminence and a peerage, by strict and steady conduct, and a constant determination to 'do his *duty* in that state of life unto which it pleased God to call him.' In the two other points that have been mentioned as biographical desiderata, Mr. Osler is respectable but not eminent. We do not trace the professional formation of young Pellew's mind, but in his successive actions we see the circumstances which must have contributed to form it, and their gradual results. As regards literary execution, the work is plain and solid, but rather common-place. Yet of all the books of 1835, it is perhaps that one which would afford the most pleasure to the common reader who has no critical acquirements, and whose taste has not been rendered fastidious by the frequent perusal of models of composition.

It is truly observed by the 'Quarterly Review,' that the earlier parts of this biography are more full and interesting than the close; and the reviewer attributes this difference to the work having been encouraged by the brother of the admiral, but looked blank upon by his sons, for the all-sufficient reason, that they were about to write one themselves. With respect to the fulness, this fact may be conclusive; the other point is not so clear. There is naturally more interest attaching to the struggles of a friendless orphan boy, than to the routine life of a respectable elderly gentleman well to do in the world. A reader is far less likely to be moved by narratives of family duties, private peculiarities, or attendances at the meetings of Bible societies, than by the gallantry of a youth of nineteen, singly maintaining an action after his two superiors had been put *hors de combat* against the whole of Arnold's fleet on Lake Champlain, and, when the signal of recall was given, twice saving the vessel by his personal intrepidity; or by the sailor-like *naïveté* with which, when called by Burgoyne to a council of war as senior and sole naval officer, he begged that the seamen might be excluded from the capitulation, undertaking with his tars to force the American lines and retreat in safety; or by his subsequent efforts and successful exploits, till, on his taking the first frigate of the enemy on the breaking out of the revolutionary war, he was knighted and placed on the high road to fortune. But there is room for a fuller life of Viscount Exmouth, and we cannot have too many *ana* of men like him. One result of the *spatium vitæ* Mr. Osler, however, has given. The admiral was too pious to repine at the favours of Providence, but in despite of his peerage and his pension, and his deservedly

dignified retirement, he could not help casting a backward look upon the difficulties of his youth, and confessing that he was then 'happier.'

Mr. Robinson's 'Memoirs of Sir Thomas Picton' is a very inferior biography to Mr. Osler's, notwithstanding the same advantages of family communications. Part of the failure may indeed be charged upon the nature of the two careers. The youth and early manhood of Pellew were crowded with adventure; the time of Picton from his sixteenth till his thirty-seventh year was spent in routine garrison duty, country quarters, or retirement on half-pay. Until the taking of Algiers, Pellew was never in a general action; Picton was indebted for his first rise and subsequent celebrity, to his conduct when acting in subordination to or in conjunction with others in the achievement of great events. It follows from this difference, that Picton was more of an historical than a biographical subject; but it was by no means necessary for Mr. Robinson to fill one volume with partial, incomplete, and borrowed accounts of the Peninsular campaigns. The narratives of his hero's services in the West Indies, during the early part of the revolutionary war, first under Vaughan and afterwards under Abercrombie, are less remote from biography, but are told in a manner too meagre and general to possess much interest. The accounts of his conduct as Governor of Trinidad, and of the island and its roguish inhabitants, are more full and effective, though still dry; but the subsequent narrative of the charges brought against him by Colonel Fullarton, for tyranny, corruption, and permitting the application of torture, is obscure, verbose, and ill-arranged, although this was the most important point which the biographer of Picton can have to handle. Still, with the assistance which Mr. Robinson received from the family and comrades of Sir Thomas, it was impossible for him not to have collected some valuable information, and to have made some addition to the materials for a right estimation of the General's character. The decision, the sternness, and the dauntless intrepidity of the soldier, were already known, as well as the dry and caustic humour of the man. It will be learned in addition, by passing through Mr. Robinson's two octavos, that the heart of Picton was not so hard as it was supposed, or as he made it appear; it will be concluded that he was not a mere soldier, either as regards general literature or the theoretical acquirements of his profession; it will be seen from his own letters that he observed and reflected on all matters, both political and military, that passed under his notice; and it may be opined that either the obloquy to which he was subjected by the Trinidad affair had soured his disposition, or that the moral worth of Abercrombie, and the respectable qualities of the men

he encountered during his campaigns in the West Indies, rendered him less intractable than he showed himself to the Duke of Wellington and his aristocratical associates. The man who joined Sir John Vaughan as a volunteer, on the strength of a slight acquaintance, and was immediately employed and rapidly promoted; who was persuaded by Abercrombie to remain with him when Sir John was superseded, and who appears to have acquired the respect of the different persons, both civil and military, with whom he was connected in his first campaigns, could scarcely have been by nature the strange cynic he appeared in the Peninsula: but as this was a point Mr. Robinson did not see, he of course has taken no pains to throw any light upon it.

In point of mere composition, Mr. Cooke's 'Memoirs of Lord Bolingbroke' would be entitled to the first place amongst the lives of the year. But, besides not furnishing any new facts or additional information, Mr. Cooke has misconceived the nature and character of biography; confounding the history of queen Anne's ministry, and of the party events of the time, with the life of St. John. Hence, the man is made subordinate to the events in which he was engaged, and we are not so much presented with a portrait of Bolingbroke as with a picture in which he figures as a party chief. It is probable that the biographer overrates the genius of his hero; it is certain that he presses very lightly on his private vices, and looks with far too favourable an eye on his public delinquencies and tergiversations. In short, notwithstanding some dramatic scenes, and some artist-like delineations, the work is rather an essay or a panegyric on the character and genius of Bolingbroke, than a narrative of his life. Its most useful characteristic is the distinct account given of the philosophical system of the companion of Dryden and the friend of Swift and Pope.

If the reader deducts from the notice in the 'Quarterly Review' the descriptions of what a life of Bolingbroke might be made, and strips it besides of its political bitterness, so as to arrive at the pure criticism upon the work, he will see that our opinion of its general merits does not greatly differ from the estimate of that publication. If its charges of ignorance and misconception on seemingly minute but really important points, brought against Mr. Cooke, are true in the whole extent, the causes of the biographical failure are obvious. The author must have undertaken his task without the necessary preparatory study, and executed it without due inquiry or even common care.

The last of the professed biographies (for Southey's 'Life of Cowper' is yet unfinished) is Dr. Williams's 'Memoirs of Sir Matthew Hale,' a volume which clearly and agreeably presents the legal rise and progress of a great lawyer and worthy man, occasionally bringing out some traits of personal character, but leaving the private

life of Sir Matthew nearly untouched. Its character, however, is that of a pains-taking compilation rather than an original work, and it resembles Mr. Cooke's Bolingbroke in this respect, at least, that the materials from which it was produced want novelty. The book should of necessity occupy a place in the library shelf devoted to British worthies, but its subject relates to a bygone age, and Dr. Williams has scarcely the requisite power to invest old things with a living interest.

In addition to the foregoing works, there are a few books which, belonging to no distinct class, may not inappropriately be characterized as materials for biography. Amongst these, the 'Letters, Conversations, and Recollections of S. T. Coleridge,' published by Mr. Moxon, are, without question, the best, not only as being a very amusing collection of Coleridgeana, but as furnishing, in parts of the letters and recollections, some information of an important biographical nature, and some unconscious exhibitions of character which have the spirit of fiction with the sobriety of truth. Excepting several abstruse and heavy expositions of the philosopher's mysteries, the work is very entertaining. In those parts which relate to the pecuniary difficulties of Coleridge, and to the mental anxieties and distress they produced, the interest is almost of a tragic nature. Whenever the life of the author of the 'Ancient Mariner' is written, the writer must draw largely upon these volumes.

'Specimens of the Table Talk of Coleridge,' published by Mr. Murray, is of far inferior value to the preceding collection: for the information in respect to the essentials of a life—the *facta moroseque*—are scanty enough, and the opinions which Coleridge gives out in discourse, not valuable in their matter or excellent in their manner. The critical portions are the best, and they are not very comprehensive.

As specimens of Niebuhr's conversation, Lieber's 'Reminiscences' are of no great value, for the speaker does not appear to have been an eminent conversationist. The pith of the book lies in the introduction, which narrates the manner in which Dr. Lieber first became acquainted with his future friend, when, landing in Italy, a penniless patriot, fresh from the Greek war of insurrection, he smuggled himself to Rome, and threw himself upon the consideration of Niebuhr. The dilemmas and extrications of the philhellenist, in respect to his passport, his means, and his wardrobe, are equal to anything in 'Gil Blas;' and the liberality and confidence shown by the historical minister to the ragged enthusiast of liberty, almost surpass romance. Altogether, it is a strange chapter in the life of a German student, and a most singular display of German character. It may be guessed that no one besides a Teuton could have gone through such a part; no one, probably, save a Teuton, would have published it. If Dr. Lieber's

career contains many such adventures, he should set about his autobiography without delay.

PROSE FICTION.

If the general literature of the time partakes too much of a trading spirit, it fully obeys that law of manufacturing production which enacts that the supply is regulated by the demand. The public fashion sets in favour of novels, and much of the solid ability, most of the superficial talent, and all of the imitative faculties of the time, that look to profit or notoriety from the publication of a book, are exercised in this manufacture. The result, as might be expected, is a weekly issue of volumes which so caricature humanity and distort nature, that the publishers of many very prudently decline to submit them to the tribunal of criticism; even when the fond partiality of fathers, or foster-fathers, brings them thither, they are mostly found too shapeless and structureless for dissection, and nothing is left but to chronicle their birth by a few lines of civil or sour general remark. Still, in a country like England, where education is so generally diffused, where wit is so sharpened by contact and competition, and where talent of all kinds gathers as it were to a common centre, a commodity which is in great demand will be furnished of a certain degree of excellence. Hence, though it would be difficult to point out, within the past year, a single novel of spontaneous growth, the combined product of natural power, careful cultivation, and favouring circumstances, still there are many that exhibit considerable ability, contain the result of some acquaintance with life or with books, (although not always naturally falling in with this mode of presentation, and often too obviously collected for the occasion), and may be perused with pleasure as a diversion to the mind, or as a means of whiling away the tedium of vacancy, or from which the reader may rise, as Lipsius says he did from the pages of Livy, *semper commotior, non semper melior, aut ad vitæ casus instructior*.

Of the countless novels which the year has produced, 'Woman's Reward,' by Mrs. Norton, seems best to merit the highest place. The fictions of Marryatt and of Bulwer may display a greater degree of genius; the tales which Lady Dacre represents herself as editing, are distinguished by a much higher finish, a more polished manner, and, if one may so apply a metaphor drawn from the voice, by a more charming tone; and circumstances or accident, as in the case of 'Conti,' may have given more peculiar novelty to one or two others; but Mrs. Norton's subject, drawn from the common occurrences of daily life, is properly adapted to the novel: her incidents and characters are familiar without triteness, and

her moral—the folly of indulging children, the selfishness to which it leads, the misery that disposition inflicts upon others, and the inevitable punishment that eventually overtakes it—is not even mentioned, but it is impressed. If very critically scrutinized, it might be found in strictness that the story contained no *action*. But whether or not the fair writer is acquainted with the canon, she determined to concentrate her unity upon Lionel Dupré. The reader may be touched by the character and story of Ann Morrison; he may laugh at or sympathize with the vulgar family of the Bigleys. He may, or rather, he will, feel interested in the affection of Mary and Clavering; and, more especially, in the calm deep, self-sacrificing character of the former. What should be the *action*, however—all that contributes to advance the catastrophe or to vary the interest, centres in Lionel, and, whether the result of art or accident, is managed with happy effect. We see him gradually increasing in selfishness; every step he makes is to gratify himself at the expense of others, and almost every self-indulgence prepares its retributive punishment, till at last, embarrassed in circumstances, deserted by his wife, whom his violence has driven to an elopement, and forsaken by all but the woman he has betrayed, and the sister whose young affection he has crossed through capriciousness, he perishes in the King's Bench prison. Speaking less from present impressions than from a note made at the time of perusal, it must be said that truth is sometimes sacrificed to effect; that the author is too fond of suspending her narrative to moralize upon it, and that there are extrinsic passages which are deficient in the excellence which alone justifies their introduction. But if not distinguished for such power of writing as to have attracted attention for that alone, the composition is sufficiently good clearly and completely to transmit the writer's impressions, and this is not far short of the perfection of style. Were 'Woman's Reward' subjected to a careful revisal, it might form a tale entitled to compete with any of its class. It is, indeed, the only fiction of 1835 that can be taken out of the non-spontaneous catalogue, or which contains, in the language of the awakened, the 'outpourings of an experience.' Of 'The Wife,' which is attached to it, it is unnecessary to say more than that the author wrote it to fill space, and the publisher was charmed with its title.

All things considered, Lady Dacre's 'Tales of the Peerage and the Peasantry' must occupy the next rank to 'Woman's Reward.' In the opinion of many, they might appear entitled to the precedence; but although they may excel in finish of execution, they are deficient in breadth and reality, inferior in material and design. The two first tales illustrate nothing, their incidents can instruct no one, their characters represent no classes; we have

not the results of experience which exhibits a type, but a solitary case. The 'Countess of Nithsdale,' especially, is an instance of this. Independent of its foreknown catastrophe, by which the interest of suspense is destroyed, the story in every part arises, it may be said, from accidents. A jacobite education at a convent is an essential evil for a woman who is to mingle in the world; in the peculiar case of Lady Dacre's Countess of Nithsdale it became an accidental advantage. Marriages of convenience, where the daughter is disposed of like a beast or a chattel, have all the elements of misery in the instance of the Heroine of the Tower, the peculiar characters of herself and her husband produce happiness, but the conclusion which a reader would draw from the novel, would be in favour of what is occasional, instead of what is general. Passing by this defect, the 'Countess of Nithsdale' may be recommended as a beautiful example of conjugal devotion—as a very sweet picture of a very delightful character—as a slight but artist-like revival of old manners, and as rather a favourable view of the wisdom of our ancestors.

'The Hampshire Cottage' is open to the same charge as the 'Countess of Nithsdale.' The seeming deduction is, that blindness is a good; for though Susan is compelled by the stern necessities of poverty to resign her first lover when she loses her sight, yet she is cured, and eventually marries into a higher sphere. The moral of resignation is indeed taught; but this is by-the-by. At the same time, the characters are so finely drawn and so nicely discriminated; the poor (though only those of Lady Dacre's village) are so thoroughly understood in the depth of their affections, and the plainness, perhaps the hardness of their manner; the interest of the tale is so admirably sustained, never flagging, never exciting; and the whole is so sweetly executed, that the feelings of the reader may enable the writer to defy the critic.

As a novel, however, 'Blanche' is the best of the tales, with respect to the variety of its persons, the changes of fortune in the conduct of the story, and the unconscious reality with which the respectable aristocracy (the particular class of society it describes) is depicted. The moral, too, is more general, but scarcely developed to its full extent. The difficulties that imprudent matches encounter from the opposition of prudent friends; the dilemmas in which a blind passion is likely to involve honourable people; the trouble and anxiety that petty pecuniary cares bring in their train; and how love is shaken, droops, and fades away before the tormenting and squalid realities of domestic discomfort, are truly painted. But Lady Dacre wanted hardness of heart to proceed to the still darker catastrophe she hints at. Fate works till towards the end of the volume, when Fortune appears upon the scene, and

a lucky legacy redeems Blanche from the lower deep which appeared to yawn before her, and her husband and children.

If fulness of matter, a wide acquaintance with every class of life below the fashionable aristocracy, and a power of truly presenting it, a humour unrivalled amongst the writers of the day, and a satire changing at will from the jocose to the sarcastic, could secure a first-rate production, the fictions of Capt. Marryatt would of necessity range before those of Mrs. Norton and Lady Dacre; and even if mere readableness, or the power of amusing, were alone to be considered, both the 'Pacha of Many Tales,' and 'Japhet in Search of a Father,' must have stood at the head of the list: but no accumulation of parts can form a whole, nor can the exercise of habitual skill supply the place of freshness and *con amore* labour. Unfortunately Capt. Marryatt in both these publications has been on the look-out for subjects to write upon, and, when found, he has worked them to the lees. Half the length of the 'Pacha of Many Tales' would have amply exhausted the subject; and the half would have been better than the whole. The author would have been entitled to the credit of the design, and its consistency would have been maintained. As it is, the tales which satirize the literature, the travels, the pretenders, and the lies of the day, are distinct parts, having no necessary connexion with the framework, or with each other, and seeming rather the result of accident than art. A similar objection applies to 'Japhet in Search of a Father.' The manners and characters are for the most part of our time; the incidents have been taken from a less civilized age, when the distinctions of ranks, and the absence of roads and reading, rendered adventures and adventurers more rife. The want of unity in the story is a technical objection to which all biographical fictions must be subject. But, although in such a work the incidents may be prolonged at pleasure, or altogether changed, the characters of the persons should be affected by the events they meet with, and different circumstances in the body of the narrative would require a different result at its close. In 'Peter Simple' this is done with exquisite skill. In 'Japhet' it has not been thought of. The hero is unaffected by time, place, or circumstance; he is the same at fourteen as at the close of his career. Whether as the apothecary's apprentice, the assistant to a pretended mountebank (who turns out the heir to a baronetcy!), a successful adventurer in the fashionable world, or the detected and shunned impostor, the Quaker provincial doctor (after 'Ferdinand Count Fathom,' if the adventures of that gentleman did not suggest the idea of the whole), or Japhet, the heir apparent, when he *has* found his father, it is evident the hero is the mouth-piece of the author, who is bent upon writing three

volumes, and whose chief care is to fill them. Yet, with all these drawbacks, the two fictions are worth perusing. Except the Spanish story in the Pacha, and the mountebank adventures in Japhet, they will at least entertain; and there are parts from which rules of life, or at least laws of morality, may be deduced. The writer, however, would do well to bear in mind that many manufacturers have damaged their reputation by putting their name to articles got up for sale. There are few hopes of an author when he takes to *trading on credit*.

‘These are the prime in order and in might;’ there are other prose fictions which are worth reading (though they may be left unread), as, in addition to the novel’s interest, they are distinguished for some peculiarity of character. Of these *stellæ minores*, Mrs. Shelley’s ‘Lodore’ must occupy the first place; as a work that, in spite of the small probability of its ground-work and incidents, the sombre sameness of its distresses, turning as they mostly do upon meat and money matters, and the somewhat slow manner in which the narrative advances, whilst the daughter of Godwin is subjecting the minds of her persons to a mental dissection,—is a fiction of power and interest, and is characterized by considerable metaphysical science presented in living examples instead of abstractions.

The novelty of Mr. Chorley’s ‘Conti’ consists in its being the first, or at least the first successful, endeavour to transplant the German Art-Novels into England. Its *peculiar* character arises from its interesting the reader in musical studies, theatrical appearances, and professional engagements—by the manner in which these matters are connected with the persons of the tale, and the spirit with which they are done. Its merits are—powerful composition, with an enthusiastic love of art, tempered by knowledge; its defects—exaggeration, and a theatrico-sensual spirit, both of feeling and judgment. There is also a philosophy attached to the story, but as the conduct of the tale overturns the theory which the novel was written to illustrate, there is no occasion to examine it.

The value of the ‘English in India’ chiefly arises from a geographical accident. The author has lighted upon a comparatively new field, and he is novel, if not original, from the absence of predecessors. The manners and habits of our countrymen in India, with the characters and customs they produce, are his subjects; and he presents them with considerable truth, displays some knowledge of human nature, and exhibits much skill in the construction of his stories. Had he confined himself to the publication of only two tales—‘The Half-Caste Daughter’ and ‘The English in India,’ he would have appeared deserving of higher praise, and his book of a more prominent position. But

'The Will,' 'Knighthood,' and some Hindoo stories, from their obvious resemblance to the thousand and one tales that are already on the shelves of circulating libraries, seem to show that he is indebted to fortune for his apparent originality.'

Mrs. Thompson's 'Rosabel' owes its charm to her sketches of the manners and characters of the times of our grandfathers; for the tale depends upon misconceptions that a single word would explain. 'The Linwoods' possesses a higher degree of interest as a story, but its characteristic feature essentially resembles that of 'Rosabel,' except that the manners and persons are American at the period of the Revolution, painted, it is to be conceived, somewhat *en beau*. 'Gilbert Guxney' is an amusing collection of caricatures by a literary *farceur* writing for pay, but whose natural sagacity enables him to catch the essential qualities of the subjects he describes, however he may distort their forms. 'The Gipsy' displays very considerable ability in blending the interest of romance with that of every-day life, till we arrive at the catastrophe, when all is discovered to be a baseless fabric. It is also a vehicle for presenting the author's knowledge of an age some seventy years since, which is done with great ability. The manners of modish antiquity are animated with life, as well as clothed with garments.

Although in form and title connected with fiction, 'Rienzi' is *sui generis*, and as such, must be considered alone. Its subject is biography; its leading events are historical; its secondary and subordinate incidents belong to romance; the characters combine something from all these classes, whilst the avowed object of the work is to inculcate a political philosophy. With such discordant matter to work upon, it is not detracting from Mr. Bulwer's genius to say, that as a work of fiction, 'Rienzi' is not wholly successful. The interest of the book turning altogether upon the Tribune, the characters and fortunes of the other persons are felt as diversions, or, at best, are but slightly regarded; the main events being beyond the power of the writer to change or modify, he cannot exhibit any artful connexion of dependent incidents; whilst the catastrophe, being known from the beginning, can excite no curiosity in the mind of the reader. The author speaks, in his preface, of the action as being epic rather than dramatic, but, in reality, 'Rienzi,' like 'Woman's Reward,' has no action, and, from its nature, cannot have. In fictions of a biographical character, as already intimated, the main interest must depend upon the principal person, and be derived from the gradual development of his mind, and the manner in which circumstances affecting his conduct eventually determine his fortune. And this is the true fiction of fate. Had Mr. Bulwer taken a philosophical view

of the character and career of his hero—showing him in youth, ardent and enthusiastic, but vain, weak, and visionary, dreaming over the former greatness, and mourning over the present degradation of his country, but evidently thinking that the ultramontane nations were nearly as insignificant as in the days of the republic; next exhibiting him on his accession to power, at first ostentatious, though sternly just, but shortly upset by his want of ballast, and driven by his weakness into exile; lastly, displaying him on the third great stage, when he returned from the drinking bouts of Germany and the prison of Avignon, less instructed than hardened by adversity, and rather exasperated than sobered, ready to arrive at power by any way, and to maintain it by any means, until he fell at last under the daggers of the rabble, not the victim of others but of himself—the design of ‘Rienzi’ might then have emulated that of Macbeth, (except in unity,) and as well have illustrated the dangers of imprudent and selfish ambition. As it is, the history injures the romance without redeeming the character of the hero, whose reputation Mr. Bulwer has vainly attempted to defend at the expense of the people, whom Rienzi first excited, and whose cause he, however unconsciously, ruined.

But if the work has these organic defects, in what, it may be inquired, does its value consist? In the spirit of *genius* less overlaid with the author's own feelings and peculiarities than in most of his other works, and in the power of a composition always splendid, though rarely severe or exact. These qualities pervade the work, but they are most strongly displayed in the characters of the Roman patricians,—in the youthful though overdone affection of Rienzi and his brother,—in the charming, yet rather meretricious creation of Adeline de Coirval,—and in the sad and chilling contrast between the hopes and feelings of the youth and manhood of Walter de Montreal and Rienzi and his wife, who may represent the more stirring and material objects of active life, as well as in the measured sobriety of Adrian's prime, who may be considered a type of the speculative and private pursuits.

The course of this examination has led us to

TRAVELS.

And, notwithstanding the number of tourists and tours, the true traveller is as rare as ever, if the meaning of the word be limited to its old popular signification, of a person who sees strange things in strange countries, and describes places rarely or never visited before. Civilization has facilitated the means of locomotion, so far as its influence extends, but perhaps its tendency is rather to check exploring enterprises, by dissipating the credulity which

excited them; at least, all things allowed for, men are more chary than ever of risking their lives in search of the wonders of unknown lands. Hence, the staring novelties of a considerable part of the earth having been exhausted, the interest of a book of travels depends altogether upon the abilities and acquirements of the traveller. If he can look at society, or any section of it, with learned eyes, he will both instruct and interest; if not, he will merely vary a thrice-told tale with some insignificant personal experiences. It follows, as a necessary consequence, that the majority of books of travels are indifferent affairs, whether the matter or the style be regarded.

The chief exceptions to this censure relate to America and the East, which seem to attract the most intelligent minds, as countries in an advancing or transition state, and where society and social institutions afford the most useful and interesting subjects of study. If a judgment, however, be formed from the character of the books of 1835, America has attracted by far the soundest and best instructed intellects. Of these works three having been already sufficiently examined either in the 'London' or in the 'Westminster Review,' we shall not here recur to the quick but complimentary 'Stranger in America' of Dr. Lieber, the judicious 'Rambler' by Mr. Latrobe, or the gentlemanly science and specific information contained in Mr. Abdy's 'Journal.' A 'Visit to the American Churches' may demand a longer notice.

It having been decided by a 'Congregational Union' of English dissenting churches to pay a visit to their brethren in America, Drs. Reed and Matheson were selected as representatives of the English voluntary principle. The head quarters of the mission were at New York, and during the busy period of the religious world the deputies appear to have jointly assisted at the meetings held in that city, or in the other leading cities of the States. When the 'season' was over they separated, Dr. Matheson proceeding to Canada, Dr. Reed along part of the western frontier, but both returning to New York at his appointed time. Of this visit two reports were presented, each divine describing his own tour, and Dr. Reed narrating the joint journeys; and each production was rightly deemed of sufficient importance to be presented to the public. The descriptions of the different American congregations and their religious festivals are ample, and told with effect; the accounts of the present state of religion in such parts of the United States and Canada as were visited by the deputies are at least fuller than can be found elsewhere; the remarks of Dr. Reed upon the general spirit and feelings of the people in respect to devotional matters are sagacious and liberal, and his views as to the beneficial working of the voluntary prin

principle encouraging to those who wish to separate the things of Cæsar from the things of God, even if some allowance be made for any bias that might possibly influence a voluntarian deputed by voluntaries. But although religion is the principal topic of Dr. Reed's communication, he has not neglected other matters. His descriptions of American scenery are amongst the most striking of any that have appeared of late; the narrative of his journeys, of necessity secular in their matter, combines force with vivacity; his sketches of the persons he met embrace both character and manners, and his general impressions of the President and legislative bodies have more value than the detailed and elaborate accounts of several other writers. If the question be considered abstractedly, perhaps the 'Quarterly Review' was right in pronouncing Mr. Latrobe's 'Rambler' to be 'the book of the year' on America. If the peculiar nature of Dr. Reed's chief subject, and the difficulty heretofore of getting a connected view of it, be borne in mind, it is probable that his contribution to the 'Visit' may be as well entitled to that character.

The books of travels relating to the East which require any specific mention are three in number. Of these, Dr. Hogg's 'Visit to Alexandria, Damascus, and Jerusalem' contains the most direct observations upon political and economical matters, although the state of his health and the short time he spent in the country have limited the number of the author's facts, and the speculations which he builds upon them are somewhat visionary, and tinged throughout by a warlike mania. Mr. Quin's 'Steam Voyage down the Danube' must occupy the next place to Dr. Hogg's 'Visit' as regards the information it supplies on public affairs, but the European traveller is even more deeply smitten than the Asiatic with the Russo-phobia. The 'Summer Ramble in Syria' of the Rev. Vere Monro is noticed at considerable length in the present Number.

Closely connected with travels, although not strictly coming under that head, is a class of works that derive their interest from descriptions of landscape, sketches of scenes, and pictures of life or of manners, the foreign nature of the subjects exciting curiosity and imparting novelty, although the book is mainly dependent for its power of pleasing on the writer's literary skill. This class of works may not unaptly be termed Impressions of Travelling, and may be ranked with the novels of the past year for the causes which prompted their production, and held superior to them for the information they impart, a shade below them for the amusement which they furnish and the knowledge of life which they exhibit, and equal to them for the ability they display. One, indeed, is entitled to higher praise, and that is, Beckford's 'Recollections of an Excur-

sion to the Monasteries of Alcobaça and Batalha;’ a book which in point of literary excellence, far surpasses any other work of the year, and is, perhaps, the only one entitled to high distinction for its execution alone. Its author is a combination of the present and the past, uniting the polished grace and careful finish of the old school with the force and vigour of the new, whilst he super-adds to these qualities an individual tenderness, delicacy, animation, and piquancy, which have few rivals in modern literature. The substance of the ‘Recollections’ is not indeed weighty, but their subjects can scarcely be called slight, and they derive a curious interest from describing modes of life that exist no longer; they are at once remote and proximate; they not only raise up the forms of an extinct race, but breathe into them the breath of life.

The ‘Recollections’ embrace a period of twelve days; they describe a visit to the monasteries of Alcobaça and Batalha, some incidents by the way, an adventure or two at the Portuguese Court, and a brief sojourn at Caldas, a sort of foreign Cheltenham. Three-and-forty years have now elapsed since the author accompanied his clerical friends, the Grand Prior of Aviz and the Prior of St. Vincent’s, on what was supposed to be a censorial visitation; and since then what changes have taken place! The companions of his journey, the associates of his festivities, and most of those whom he encountered by the way, are dead; the kingdom itself has been ‘lost and won;’ the dynasty expelled and restored; constitutions established and overthrown; and the priesthood, their power, their riches, and their luxury swept away. But time has no power over the reminiscences of genius, and the magic of Mr. Beckford’s pen conjures up the past more freshly and vividly than if it were present. The incidents, the characters, the scenes, the images, the thoughts, the feelings of those twelve days, are presented to us stripped of all that was gross and earthly and common-place in their nature, but tinged by the idiosyncrasy of the writer’s mind. And here is the critical defect. The things are shown, not as they are, but as Mr. Beckford saw them: and he looked with the eye of a Sybarite—too refined for weakness, folly, or coarseness to escape him,—too prosperous to allow his temper to be ruffled by any rubs he might encounter by the road,—too voluptuous to think or to examine,—too worldly for the reception of a deep impression. Hence everything is treated *en bagatelle*, or, if he turns for an instant to serious things, his sadness is the ‘luxury of woe.’

This defect, however, is inseparable from the nature of his work. Moreover, like the caprices of a beauty, it is not without its charm. And even if a latent sameness, a coldness of feeling, an indifference akin to that of Mephistopheles may be detected, there

is extraordinary variety in the subjects and manner of treatment with an exquisite fitness of the last to the first. With what importance between jest and earnestness, what voluptuous gusto, shaded, but not concealed, by polished banter, are the conventual kitchens, refectories, and repasts described! How keenly, yet how blandly, is the Apician zeal of the right reverend abbot and his brethren satirized! What grave levity, but evident relish, is displayed in noting the comfortable sumptuousness of the two priors' preparation for travelling, and the coziness of their vehicles and beasts of burden! Then what a change of spirit in his charming pictures of landscape, fresh as the nature of which they are a transcript; or his graphic descriptions of the monastic architecture, whether he brings before us the magnificent mass of the whole pile, or the sharp and delicate tracery, crisp and bright in the warm sunshine,—or the long procession at Batalha, solemn, not sombre, as it is seen in 'the dim religious light' of the church, yet deriving an ever-changing splendour from the hues of 'the storied windows richly dight!' When was the formal politeness, the solemn etiquette, which sacrifices life to its semblance, more good-naturedly, but more sharply, ridiculed than in the narrative of the visit to the lady bird-fancier? The withered invalids at Caldas, dying, as the enraged physician of our author declared, under incorrect treatment, live again in all their sallowness and court dresses. A few touches bring before us the wretchedness of the expectant courtiers existing on hope deferred. We look down the long alley in the regal gardens, and see the race which Mr. Beckford ran, and the fandango which he danced to please the princess, and we think of Aristippus at Syracuse. In the description of the heart-felt worship of the peasants at the festival of St. Anthony, the author rises to a transient devotion—a sentiment, not a faith. In his touching narrative of the young novice and his dead pet, the stork, the gift of his mother and of a mother he should see no more, the man triumphs over the Epicurean. We have the pathos of Sterne, without his elaborate affectation.

'My Note Book' is entitled to rank next to the 'Recollections,' although they differ upon almost every point in which difference consists. Mr. Beckford treats of the graces and sentiment of life, and generally of those more courtly and luxurious subjects whose essential deformity would disgust if it were not tolerated by opinion, adorned by the wonders of art, and set off with the charms of manner. Mr. M'Gregor deals with practical realities, and often with so much of their minute details, that only their utility and the scientific skill of the statist redeem them from the idea of meanness. Mr. Beckford is occupied with the past, Mr.

M'Gregor with the present; the one wandered in a southern clime, where nature does much and man little,—the other chiefly surveys the Low Countries and Holland, where the soil itself was won from the sea, and everything that contributes to the support, the comfort, or the adornment of life has been produced by thoughtful shrewdness, unceasing industry, and severe parsimony, maintained through a long succession of ages. Their literary differences are not less remarkable; the only qualities they have in common are vivacity and a turn for satire, which takes in M'Gregor a less amiable form, and is occupied with coarser matters. In the practical information it conveys, 'My Note Book' differs not only from the 'Recollections,' but from all other Impressions of Travelling. Upon this point, indeed, it might advantageously compete with any of the books of travels. The number, the animation, and the vigour of its sketches of men, manners, and scenes, and the vivacity displayed in the statistics themselves, seem to fix its position in the class where it is placed.

Following the order of merit, rather than any more artificial arrangement, Washington Irving's 'Tour on the Prairies,' in company with a band of colonial rangers and a commissioner of Indian affairs, is the next book of this class, and a very pleasant volume it is. The author, indeed, is more at home in the park than the prairie; his elaborately ornate and polished style is better adapted to the elegant productions called into existence by social refinement, than to the vastness, the wildness, the rugged magnificence, and the speaking solitude of nature as displayed in the primeval forests or the 'wilds immeasurably spread' of the 'far-off West' of North America; whilst, perhaps, a lurking consciousness of unfitness for the task may have induced a degree of unfelicitous labour in some parts, and in others a dash of that maudlin sentiment which, in cant language, is termed cockneyism. At the same time the novelty of the subjects, the innate charm of 'life under the greenwood tree,' the natural love of hunting and adventure, and the judicious brevity with which the author treats the whole, redeem its critical defects, and render it an agreeable addition to the books of the boudoir.

The 'Indian Sketches' of John T. Irving bear a close general resemblance to the tour of his uncle both in respect to matter and manner; but here comparison ends. The matter is not so full, but more informing,—the manner less elegant and finished, but more fresh. The subjects are so far alike, that each wandered in the rarely trodden prairies; but Washington chiefly describes their landscapes, the encampments of his party, and the wild animals they saw or pursued, or if he sketches uncivilized man, it is the half caste of the border, or the half corrupted Osages.

His nephew principally deals with the nobler savages, who, far removed from the debasing vicinity of the frontier colonists, retain their own peculiarities and aboriginal character. These, indeed, seem none of the best, whether the Indian be at peace or war. To lounge, to paint himself, and, if he can, to pilfer, appear his occupations in the former; in the latter he pursues his enemy, or rather his victim, with an untiring hate and a feckless ferocity, alike wonderful and horrible. Of these traits the 'Indian Sketches' contain many ludicrous accounts and some striking instances. They also exhibit, in a very readable form, a succession of pictures of Red Indian costumes, habits, and modes of life, as full and as complete as can anywhere be found.

'Outre Mer' and 'Pencillings by the Way' bring us back to Europe, and whilst they have an accidental resemblance to the two preceding books in being written by Americans, they have an accidental source of interest to the English reader as showing the points in European civilization which most forcibly attract the attention of cultivated Americans. This, however, comes more home to us Britons in the case of Mr. Willis, for the pilgrimage of the writer of 'Outre Mer' was entirely continental, and was there limited to a tour from Havre to Paris, and from Paris to Madrid. His mind, too, is of a dreamy and sentimental cast, more inclined to turn from the unbending rigidity of the present to the plastic materials of the half-forgotten past, and to fancy what might have been, rather than to examine what is, unless in the case of a ruin, or a relic, or a scene, or an oddity as singular as himself. Nevertheless, the 'Pilgrimage to the Old World' is the product of a man of literature, taste, and fancy, with a spice of humour and a large share of romance, who imitates Washington Irving, it is true, but without servilely copying him, and who has taste enough to know that there are more fountains than one in the world.

The notoriety which adventitious circumstances have obtained for Mr. Willis's 'Pencillings by the Way' renders it, perhaps, a work of supererogation to observe, that their author was an *attaché* to an American embassy for the convenience of travelling, that his apparent motive for locomotion was to furnish articles for the literary newspaper called the 'New York Mirror,' and that with this object in view he traversed France, Italy, and part of Germany, sailed about the Mediterranean in consequence of an invitation from the officers of an American man-of-war, called on his voyage at some places in Greece, at Constantinople, and Smyrna, and, after returning in some measure upon his former path, finally landed in Great Britain, where he got introduced to a literary coterie in town, and spent a short time at the seats of

two respectable Tory noblemen in Scotland. His residence at any spot was apparently too short to enable him to do more than receive impressions from the most obvious characteristics of its scenery, edifices, habits, and society. Writing to an uninformed public, and for fugitive literature, he seems, at least in England, to have been little scrupulous in exaggerating for the sake of effect, and he does not appear to possess much of learning or of science. An elegant mind and a degree of poetical feeling cannot, however, be denied to the author of *'Melanie;'* his views of scenery are mostly sweet, although coloured by his own feelings, his sketches of persons and society are graphic, and his narrative of incidents, anecdotes, and passages by the way, lively, smart, and possessing in England much of the interest already alluded to, that of reflecting back a stranger's opinions of our country. As regards the outcry raised against the author for alleged breaches of hospitality, there is little published in his book or in English periodicals to warrant the fierce attack or the prudish censure to which he has been subjected, except his repetition of Professor Wilson's remarks on Mr. Lockhart, and Mr. Moore's on O'Connell. To the nation and to individuals Mr. Willis is complimentary to a degree; and many of his assailants would do as he has done to foreigners, or praise the doing. The sin of the author is in the suppressed passages, and in the excuse for writing them. If he would not republish them here they ought never to have been published at all, for to talk of distance and obscurity with respect to an American periodical is merely adding meanness to wrongdoing.

In point of lightness and literary merit, so far as the term applies to the workmanship without regard to the material, *'Scenes and Characteristics of Hindostan,'* by Miss Roberts, must be rated something, though very little, lower than any of the preceding books. In truth, reality, and practical information she equals any of them, even admitting that her knowledge has not the every-day application and the scientific value of Mr. M'Gregor. Her main subject is social life in the Bengal presidency, varied by descriptions of native manners and native scenes. Her mode of composition is minute enumeration as regards things, and very careful finish as regards language. Her *'Scenes and Characteristics'* have all the truth of the Dutch school of painting, with less of their life, but without any of their grossness. Altogether her book is pleasant, curious, and amusing to those who are fixed in England; indispensable, we should think, to those who are pondering upon an expatriation to Hindostan.

With a brief notice of two other publications, *Impressions of Travelling* may be closed. Miss Lloyd's *'Sketches of Bermuda'*

is a short, sufficient, elegant, and agreeable account of a chain of islands but little known, although curious in themselves, and interesting for their associations. Dr. Madden's 'Twelve Months in the West Indies' is a series of letters containing some striking pictures, much pleasant reading, and a good deal of information, but too obviously got up for sale to leave a very satisfactory impression on the mind of the reader.

• ILLUSTRATED LITERATURE.

In assigning a distinct head to illustrated literature, it must not be confounded with embellished. From the costly splendour of illuminated margins and letters of gold and purple, down to the more sober magnificence of modern typography and binding, wealth has always been lavished on the adornment of volumes, according to the fashion and mechanical facilities of the times. Neither does the term apply where illustrations are necessary or useful as aids to the text, but to that meretricious mixture of art and literature where the intellectual must be subordinate to the sensual, and the writer must sacrifice his subject to the purposes of another pursuit. Whether the patronage which the more vulgar and material arts of design and engraving may receive in this way will really serve them, or whether trick and mechanical dexterity may not be stimulated to the injury of invention in design and thinking, mastery of execution is questionable. Of its effects in literature there can be no doubt. Talent, 'cabin'd, cribb'd, confin'd, shut in,' by the necessity of serving two masters, will become tame and insipid, and even the endeavours of genius in search of novelty to furnish scope for itself and its collaborateur, will be more likely to produce a number of vigorous and disjointed fragments than any happy and original fitness of form.

As yet, however, the evil is in embryo; it is rather coming than come. For some years past, indeed, the Annuals have dimly indicated the tendency of the times; of late the higher classes of these elegant ephemera, which aim at combining a distinct purpose and literary talent with elegance of decoration, have more clearly hinted the approach of this corruption; and Mr. Bulwer's 'Pilgrims of the Rhine' was an additional evidence. But the precursor of the advent is 'The Pirate and the Three Cutters,' a book which possesses as much of essential good and formal defects as its successors, for some time to come, are likely to exhibit of the reverse. One may guess, indeed, without being like Ostanès, in *conjecturis sagacissimus*, that the sources of Captain Marryatt's inspiration were not internal; but he has done the work he undertook in a workmanlike manner. By throwing his tales into the shape of a succession of Acts, he has given them variety

of subjects and novelty of form, whilst he has furnished a number of striking scenes for the artist, and that without palpably fettering himself. In the 'Pirate' there is point in the writing, and shrewdness and humour in the characters on shore; and at sea all the eventful incidents of a nautical life are embraced, including a gale, the abandonment of a vessel and the attendant privations, a hurricane, a wreck, and a pirate crew with their adventures, atrocities, and punishment. The scenes of the 'Three Cutters' are of a less striking but of a more agreeable kind. They turn upon a smuggler's trick to run his cargo, and although the plot and incidents are allied to farce (as regards probability), the narrative, characters, and dialogue are truly comic, and conducted with infinite humour and skill. Still, as in the case of Dr. Madden's Letters, and, perhaps, from a similar cause, the impression is not *satisfying*. By the 'Pirate' the reader is excited rather than interested, and its variety is gained at the expense of connexion of story, its force at that of ease and probability. From these faults the 'Three Cutters' is free, but even that pleases by its parts rather than as a whole.

POETRY.

The progress of this survey has brought us to a subject with which, in a *critical* classification, it ought to have begun; but although there have been some volumes of sounding, of elegant, or of finished verse, there has been no poem published of sufficient importance to call for extended remark in this *coup d'œil*. The lover of song is not, however, destitute. Although the subjects are occasional, and some of the poems do not appear for the first time, 'A Poet's Portfolio,' by Montgomery, and 'Yarrow Revisited,' by Wordsworth, will furnish snatches of poetry so lofty, solemn, tender, contemplative, and sweetly melancholy, as will require the reader to mark 1835 with a white stone.

MISCELLANEOUS.

Before finally concluding this survey, a sentence or two may properly be given to those books which, being too few to admit of a distinct class for each, may be arranged under the head of Miscellaneous. Of these 'The Student,' by the author of 'Pelham,' may perhaps worthily occupy the first place. The book consists of a variety of papers—tales, allegories, and essays—some independent, some connected, but the whole short. Many, if not all, have appeared before, but they will bear a second perusal. As specimens of the varied talents of Mr. Bulwer, in the gay, the brilliant, the animated, and the pointed styles of composition, they probably furnish more favourable examples than

his longer works, for they are short enough to have been struck off at a heat, before excitement was deadened and the pleasure attendant upon a new subject began to pall. These remarks relate to the manner; upon the matter much might be said if this were the place.

Mrs. Butler's 'Journal' has been reviewed at a sufficient length in the London Review. Washington Irving's 'Abbotsford and Newstead Abbey' is an elegant narrative of a visit to the habitations of Scott and Byron, very readable throughout, very interesting in parts, but indebted for all its interest to its connexion with the two great poets. The title of 'Provincial Sketches' indicates their subjects, but it cannot tell the masterly knowledge and the happy manner with which the weak points of society, and even of nature, in the country, especially when made subservient to the vanity of man, are brought out; its author (Mr. Scargill, an Unitarian minister lately deceased,) was a master of genteel satire. Miss Stickney's 'Poetry of Life' is a collection of very finished and graceful essays on a variety of subjects, which may, or may not, be poetical in their nature. Miller's 'Scenes and Legends' is worth reading for its intrinsic merits, saying nothing of the curiosity of such a volume being produced by a Scottish day mason. And 'Random Shots' is an amusing picture of the life of a soldier on active service.

The literary execution of Lord Brougham's 'Discourse of Natural Theology' is vigorous, broad, and striking as a whole, but dashed with negligence and disfigured by obscurities in parts. Its materials have been seized in haste, and arranged without care, yet display great readiness in appropriating the ideas of others. But if the critical canon be sound—'in every work regard the writer's end'—the 'Discourse' is an egregious failure. It does not impress the reader with any additional conviction of the existence of God, or any enlarged ideas of his attributes, and it totally breaks down in the main object of the book—that of showing the science of natural theology to be identical in its nature with the physical sciences.

Mr. Baines's 'History of the Cotton Manufacture,' and Dr. Ure's 'Philosophy of Manufactures,' both relate to a subject of national interest and mechanical curiosity. Mr. Baines deals more in narrative, Dr. Ure in disquisitional description. Mr. Baines has the greater literary ability, Dr. Ure is said to have the deeper knowledge of his subject. Both, however, are able works, and capable, no doubt, of being mastered in the expository sections by a careful study of the text and plates. But the person to whom expense is not a consideration had better take the volumes down to the seat of the cotton manufacture, and study them with a practical commentary.

Such are the books of the bygone year. It remains to state the result deducible from their examination; and this, upon the whole, is favourable. If the world of letters has not greatly advanced, it has more than held its way. So short a period in the literary history of our country has not indeed been cheered by a discovery; science has received no notable accessions, no fresh province in literature has been explored, nor has a new genius arisen to dazzle the world; but old truths have been enforced in new modes; floating or dormant facts and conclusions have been collected, arranged, and reproduced in a combined and attractive form; scientific knowledge, both natural and political, has been rendered more accessible to the people; new information has been imparted to the world; from the lives of our fellows which have appeared some safe experience or moral lesson may be drawn for the guidance of our own; and many of the additions to the lighter literature will amuse, and perhaps instruct, the present generation, if very few can hope to reach a late posterity.

R. W.

ART. XI.

PROPOSED REDUCTION OF THE STAMP DUTY ON NEWSPAPERS.

EVERY Cabinet, it seems, must have its evil genius. That of Earl Grey had Lord Stanley—the present administration has Mr. Spring Rice. There is not a member of the Government who has done so much to cause it to be generally distrusted as the Chancellor of the Exchequer. The session of 1836 has commenced. The people ask for one concession, and one only.* The old topics of Annual Parliaments, Universal Suffrage, Vote by Ballot, Reform of the House of Lords, are postponed. There is but one cry heard throughout the country. It is the cry of the working classes. For what? Is it, as heretofore, a clamour against the rights of property? Against the employers of labour? Against the rich as supposed to have an interest hostile to that of the poor? No—it is the cry of the ignorant man awakening to a sense of his own deficiencies; it is the cry of the artisan claiming to understand the laws which he is called upon to obey; of the spirit of liberty, for the dearest of all her rights, that of a free press;—and it is refused; refused, after the question has agitated the country for six years; refused, after a thousand persons have suffered imprisonment for engaging honestly, however indiscreetly, in the struggle; refused by a member of the Society for the Diffusion of Useful Knowledge.

* In the multitude of petitions, it is remarkable there is not one in favour of the Government project of reducing the duty to one penny.

ence over the public mind, and the price they charge for advertisements will continue as high as at present. If the duty were entirely removed, a variety of daily journals would start at the price of twopence or threepence. A popular journal at this price, well conducted, might hope for a circulation of 50,000, while the circulation of a mere Whig or Tory newspaper, like the 'Times' or 'Chronicle,' would only rise, perhaps, to 10,000. The advertisements would of course flow to the papers having the largest circulation, and unless the existing journals acquired a very different reputation from the present ones, their profits would suffer greatly by the loss of their advertisements. To retain these as long as possible, the charge for advertising would be reduced, and the continued competition for advertisements would make the reduction permanent. The Chancellor of the Exchequer has sacrificed the interests of the country to the stamped press.

5th. The reduction will not put an end to the present violations of the law. The difference of cent per cent. between an unstamped paper of twopence, and a larger one at fourpence, might not have been sufficient to *create* an unstamped press, but such a reduction will not put it down, now that it is efficiently organized and in active operation. Or, if the unstamped press be put down, it will be by a further infringement of individual liberty; by giving to the police a right of search in the shops of booksellers. There is no other certain mode of effecting the object.

6th. It will delay the final settlement of the question, and prolong the irritation of the public mind, for a period of five or ten years. The middle classes will be apathetic upon the subject: not so the working men; and those who profess to be their friends must soon, again, in spite of their habitual inertness, be carried away with the stream. The question of an unstamped press has become the single topic of the trades' unions.* What must be the blindness of statesmen who, in this single fact, cannot see the proof of a rising intelligence, which, if it had been the work of government, would have been its proudest and noblest achievement? But how much greater the blindness of those who choose this ground as the one upon which to take up a hostile position!

A private meeting of members of the House of Commons was held at the commencement of the session, attended by Messrs. Grote, Warburton, Hume, Wallace, Charles Buller, Elphinstone, Sir William Molesworth, and other representatives of the Liberal party in the house. They came unanimously to a resolution, in the event of any proposition for reducing the stamp duty to a penny, to divide the house upon an amendment for the

* The trades' unions in and near London are at the present moment organizing a meeting of deputies from all the societies in favour of an unstamped press.

total abolition. The country will hold them to their word. The Chancellor of the Exchequer has thrown them his defiance. He will crush them with the aid of his Tory allies. No matter. The people will watch with intense interest that division. It will be a far better test than that of the Reform Bill, of their real friends. The minority on this occasion will contain the names of the only men in the house upon whose unflinching advocacy the people may depend. The absentees will be the place-expectants and the time-servers. The majority will be the thick-and-thin supporters of Government, and, with them, the natural enemies of popular institutions. Thenceforward it will be known who may be trusted; and the time is not far distant when power in this country will only be held by the trust-worthy.

It may be expected that we should say a few words in reply to an attack of the 'Morning Chronicle' upon an article in the 'London Review' on the 'Taxes on Knowledge.' The writer of the article is accused of having groundlessly calumniated the proprietors of the 'Morning Chronicle.' To that accusation a reply was sent which they declined to insert in their columns. They stated in their leading article of the 28th January, that the cause of their appearing to suppress the report of the great meeting at the Crown and Anchor in the Strand, was, that they had no means of learning that such a meeting (almost opposite to their own doors) was about to be held, except from placards which they did not see. The facts are as follows. Three advertisements of that meeting were sent to the office of the 'Morning Chronicle,' with a request that, on account of the object, they might be inserted at a cheap rate. Those advertisements appeared in the 'Chronicle' on the Thursday, Friday, and Saturday mornings previous to the meeting. A subsequent application was made at the office to obtain the insertion, at a cheap rate, of the resolutions passed at the meeting; with this result, that twenty shillings more were charged by the 'Chronicle' than by any other paper in which they were inserted.

Since this time, the largest public meeting we remember in the City of London has been held in Guildhall for the total abolition of the newspaper stamp duty. It was also a remarkable meeting from the number of men of wealth, and station, who connected themselves with its object. In addition to such names as George Grote, Isaac Solly, &c., the requisition bore the signature of one of the Rothschilds. The great hall was crowded in every part, and hundreds went away who could not obtain admission. The 'Morning Chronicle' has frequently sent expresses 300 miles for a report of meetings exciting much less public interest. In this case a note was forwarded to the editor, requesting that re-

But the members of the Cabinet, or such of them, at least, as are known to be liberal, have a ground of quarrel with Mr. Spring Rice, equal to that of the country. He might have refused the total abolition of the stamp duty, and yet done so without tainting the Government of Lord Melbourne with the suspicion of duplicity, and dishonesty. He might have said, 'We are afraid of trusting the people with a free press,' or 'we are not convinced of its importance,' or 'we are divided in sentiment upon the subject.' Any of these reasons would have at least afforded a candid and honourable explanation of their conduct. Those which he has urged are disingenuous, self-contradictory, and too shallow to impose upon a child.

First we are told, the tax cannot be defended upon principle, and can only be excused upon financial grounds. The financial grounds are taken from under him, and still he maintains a portion of the tax, admitting it to be a tax, and more than sufficient to defray the expense of postage. The amount of that portion of the penny stamp which will be charged on papers not transmitted by post, will not (it is probable) produce a revenue of more than £50,000, and yet he insists upon retaining it, knowing that its effect will be to prevent the existence of a multitude of cheap publications, that would otherwise be created by the demand for information among the working classes—knowing also that it was a stamp of only one halfpenny which extinguished the 'Spectator' of Addison, and Steele.

Next he wishes us to believe that he has been deceived by the representations of the indolent officials of the Post Office, and that he really fancies it impossible to forward newspapers for a penny postage, either by means of stamped wrappers or otherwise, without impeding the delivery of letters; yet he again contradicts himself, one of his apologies for a penny stamp duty being the importance of circulating newspapers by post.

Mr. Spring Rice has been informed that the postage charged in the German States is less than one farthing—that the Augsburg Gazette is transmitted from one end of Germany to the other, through all the independent States, for an annual charge amounting to less than a halfpenny upon each paper—that in France the postage upon newspapers is from one farthing to one halfpenny, and that many scientific publications are transmitted free—that in the United States the charge is one halfpenny, and that for three farthings, a newspaper is sent 3,000 miles: yet the Chancellor of the Exchequer rises in his place in Parliament, and declares to the members of the House of Commons that what is now done in Germany, France, and throughout the United States, with bad roads and imperfect means of commu-

nication, cannot be done in this country, where the roads are the best, and the means of conveyance the most perfect and expeditious in the world.

He then affects to compassionate that unfortunate class of persons, living in the country, who could not, if the press were free, get a London newspaper without having to pay a halfpenny, or a penny for the postage. To relieve this class, what is it he proposes to do? Allow them to keep the penny in their own pockets? No such thing; but to charge them nothing for the postage, and make them pay a penny in another form for the stamp. In addition to this admirable contrivance, he proposes not only that the comparatively few country readers who wish to see London newspapers, should pay the penny in this form to government, but that the many who would infinitely prefer a cheap local newspaper should also pay the penny. Supposing there are ten millions of newspaper readers, one million will fairly represent the country readers who prefer London newspapers. To accommodate this class, Mr. Spring Rice proposes to tax them, and nine millions of other persons, who would be better satisfied with their provincial journals, which generally extract from the London papers all that there is really in them of national interest.

To pursue no further the inconsistencies of Mr. Spring Rice, we will briefly enumerate the objections to a penny stamp duty.

1st. A penny stamp is practically equivalent to one of three halfpence or twopence, because it compels the publisher to charge a higher rate of profit than that with which he would be satisfied upon a larger circulation, and an additional profit upon the outlay of capital necessary in purchasing the stamps.

2d. It will prevent the existence of a class of publications which it is especially important to encourage, newspapers containing cheap local information, calculated to create the habit of reading among small farmers and agricultural labourers.

3d. No newspaper containing as much letter-press as Chambers's Journal will be published under threepence, or perhaps fourpence. It is doubtful whether such papers as the 'Times' and 'Chronicle' will lower their prices below sixpence; at most the reduction will be but to fourpence-halfpenny. The proposed measure of relief will therefore not enable a single person among the whole body of the working classes, or among the class of poor shopkeepers, to purchase a daily newspaper, even one of small size.

4th. The purchasers of newspapers will not, therefore, be sufficiently increased to give a chance of success to more than one, or two, new morning journals. The effect of this will be that the Whig and Tory newspapers will continue to hold the same influ-

porters might attend, and a private note to the same effect was sent to Mr. Black. The meeting was held on the Monday. No report of it was given in the 'Chronicle' till the Thursday, and then a report not extending to a third of that which had appeared in the 'Times' the day before. Was it for want of room? On the same day the 'Chronicle' published for the first time a double sheet, printing the whole of the evidence taken before the Carlow Committee in large type, and at a most unreadable length, and even then were so much at a loss how to fill the paper, that they were obliged to print two columns of the evidence in still larger type, leaving large open spaces between the lines. The report of the Guildhall meeting was crowded in comparatively small type, and compressed into one column. The only notice of the meeting in their leading articles was one in which Messrs. Hume, Grote, Travers, Solly, and other of the speakers were charged with 'ignorance,' and with 'talking in a most incomprehensible manner,' upon matters respecting which they dogmatized with excessive confidence.* We will not trouble our readers any more with the motives which actuated this conduct. It is right, however, that the public should know to whom they are indebted for such extraordinary proofs of zeal in their cause. The proprietors of the 'Morning Chronicle' are Messrs. Easthope, Duncan, and M'Gillivray. There may be other shareholders, but each of these gentlemen takes a personal and active interest in the management of the paper. Mr. Duncan is a bookseller in Paternoster-row, and Mr. M'Gillivray (a Canada merchant) is the gentleman who was Mr. Black's second in his duel with Mr. Roebuck.

Since the above was written we have seen a pamphlet published by Mr. Charles Knight, containing (along with some interesting observations on the effect of the Taxes on Knowledge generally) an elaborate statement of the arguments with which, it would appear, Mr. Spring Rice has been on the present occasion misled by some persons who call themselves his friends. The object of the writer seems to be to prevent the competition of penny newspapers with penny magazines, and he therefore supports a penny stamp duty. The positions he assumes are the following:—

1. That to save the expense of employing perhaps 50 or 100 additional clerks, for receiving, and sorting newspapers, it is necessary to keep up the still more expensive machinery of the Stamp Office.

The reply to this would be, even if the fact could be admitted, —let those newspapers be stamped which are required to be sent by post, but no others.*

* Every fair objection might be obviated by allowing an optional stamp of a halfpenny, or a penny, conferring freedom of postage, and by charging an addi-

2. That if there were no penny stamp, large capitals could not be profitably employed in newspaper speculations, and that the quality of newspapers would be deteriorated.

The answer is, there is no stamp on Penny Magazines and Penny Cyclopædias; these everybody may publish, and yet it is found to be worth while to employ a very large capital in these publications.

The argument of the writer, if it were good for anything, would be fatal to any reduction of the stamp duty. What is the motive which induces men to invest a large capital in newspapers? Certainly not gratitude to the Chancellor of the Exchequer for the stamp, but the hope of obtaining a large circulation by procuring earlier or better information than is obtained by those who incur a smaller outlay. The truth is, the increase of rivalry will cause more capital to be expended upon a single newspaper than at present, and we should not be surprised to see £100,000 employed in establishing a penny newspaper of such superior quality as would distance all competition.

The Post Office fallacy is amusingly absurd. We were told last year by Mr. Spring Rice, that a postage of one penny, unless compulsory, would produce nothing, because it would be evaded, and that newspapers would be sent in coach parcels to all the large towns. We are now informed that the willingness to pay the penny would be so great that the mails would break down with their load. To meet this inconvenience, we would suggest the building of a few more. A ton weight of parcels would now be carried by the mails for £14, the charge being at the rate of 14s. per cwt. A ton weight of newspapers, reckoning eight to the pound, would, at the rate of one penny for each, produce £74. 13s. 4d.—a reasonable sum, surely, to defray all expenses both of carriage, and distribution.

W. E. H.

tional halfpenny (always to be paid in advance) upon unstamped newspapers circulated by post. If this plan were adopted, country readers of the London press would always order stamped papers, and the quantity of pence to be collected by the Post Office in other cases would not be inconveniently great. It must be remembered that the advantage of the Post Office to the circulation of country newspapers is in many instances merely nominal. In some parts of England there is no cross country postage, and in other parts it is attended with an extra charge of one penny upon both letters and newspapers. We have no properly organized system of rural posts as in France. A letter sent from Malling (a considerable town in Kent) to Wrotham, a distance of five miles, is charged by the Post Office 8d., and delayed 24 hours on the road.

ART. XII.

STATE OF POLITICS IN 1836.

THE opening of the Session has been auspicious. The year 1836 promises to be not unfruitful of important improvements in the details of our laws, while it has already afforded new and hopeful indications not only of the rapidity, but of the tranquillity with which the nation is travelling towards the attainment of the best government to which in its present state of civilization it can aspire.

The advantages are generally much overrated, which this country has derived from her possession of the forms of popular government, for a long period, during which the other nations of Europe were more destitute of the forms than even of the substance. But among these otherwise overrated advantages, is one which it is hardly possible to overrate: public opinion has acquired, has irrevocably acquired, the means of expressing itself peacefully. Whether the nation is of one opinion or another, does not, as in all other European countries, remain questionable until the sword decides it. A country in which there were no public meetings, no liberty of association, and, except at Paris, practically no liberty of the press, had to fight for three days before it could get rid of a dynasty which had scarcely an adherent left; and the world cried wonder at so great a revolution accomplished with so little bloodshed. The English effected a much greater change—gave the mortal stroke to one of the most powerful aristocracies in existence—accomplished a revolution equal to those for which, in former days or in other countries, generations of human beings have been swept away—overcame (we take from the lips of the Tories the catalogue of their forces) the King, the Lords, the Church, and the Land; and accomplished this, merely by assuming so imposing an attitude, that the warrior of Torres Vedras and Waterloo was either not bold enough, or not remorseless enough, to lead the charge against them.

The passing of the Reform Bill was our taking of the Bastille; it was the first act of our great political change; and like its precursor, it is a sample of the character of all that will follow. As the one was bloody, and the beginning of a bloody revolution, so does the pacific character of the other almost guarantee the peacefulness of the changes yet to come.

This reflection, which must have occurred to many at that remarkable period whose spirit-stirring events gave occasion to it, has been, perhaps, too much lost sight of in the succeeding four years. The resistance which the course of reform has since en-

countered, created an exaggerated impression of the difficulties which still remained for it to overcome. It was to be expected, that the defeated army would rally after the first overthrow; that they would mistake the fatigue of their victorious adversaries, and the momentary hesitation what point next to attack, for a reaction in their own favour; would indulge hopes that the strength which levelled them to the ground was the result of a temporary exaltation, and that when it subsided, things would quietly return to their former course. Defeated aristocracies have always been prone to such vain hopes. The royalists, during the first French Revolution, were in weekly expectation of some change which was to restore their ascendancy; nay, the Carlists of France indulge such expectations even now. But the English aristocracy is preserved from the fate which usually attends on such illusions, by causes with which their own discernment has little to do: they cannot foresee, but it is not possible for any one, living in this country, not to see. They foresaw nothing during the two years' discussion of the Reform Bill; but when the moment came, they saw their weakness and quailed. They foresaw not, when Sir Robert Peel came in, nor even when he was turned out, that their attempt to maintain a Tory ministry with a reformed Parliament must, for the time at least, be unsuccessful. But their demeanour in the present session proves that they see it now. If they did not, would they have abstained, as they have done, from opposing Ministers in the House of Commons in almost any one of their measures? or would the implacable Orangemen have been driven to disband themselves by a vote?

The spirit of the Tory party is broken. They will rally again; and the power which, with the present constitution of society in England, so long as the protection of the ballot is refused, they can always, except in times of universal enthusiasm, exercise over the elections, may enable them more than once to rally in considerable strength. But all is in vain; for it is becoming obvious to everybody else, and at each defeat it will become so to more and more among themselves, that if the time comes when their defeat cannot be accomplished *without* the ballot, it will be accomplished *by* the ballot.

Meanwhile, the strong minority which the Tories for a time possess, has produced for the present a closer union, and a consequent increase of moral strength, among the opposite ranks. And this result, in itself so desirable, has not been effected, as we feared it would be, by compromises of principle on the part of the thorough Reformers. The thorough Reformers have met the Whigs half way; but it is only half way. The Ministers have, this session, evinced an activity in the work of reform, and a disposition

to make its spirit penetrate into various branches of our institutions yet unvisited by it, which prove that they are, in some measure, awakened to the necessities of their position; and entitle them, while such conduct continues, to the strenuous support of the more vigorous Reformers—though not to the kind of support which ministries are most prone to demand, and, we grieve to say it, most accustomed to receive—the suppression of the utterance of any opinion which it is not convenient to them to go along with.

Among the measures, either introduced into Parliament, or promised to be introduced, for which commendation cannot be refused to Ministers, we will enumerate the following.

First, the Marriage Bill. This is entitled to a praise which can rarely be bestowed upon the attempts of English statesmen in the character of Reformers. Though it deals with only one branch of an extensive subject, it is, within the limits of that branch, a complete measure; it leaves no relic of the grievance which it professes to remedy. All former bills for the same ostensible purpose had one of two grievous defects; they either exacted, as the condition of the validity of a civil contract, the performance of a religious ceremony, or they made a distinction between the clergy of the established and those of the dissenting sects, degrading to the latter. By the present bill, nothing, in the ceremony of marriage, is required by the State, but that with which alone the State is concerned, the due execution and registration of the civil contract; while, at the same time, the religious ceremony, though legally imposed upon no one, is allowed, at the option of those who prefer it, to have, when duly registered, the force of a civil contract; and this equally, with whatever formalities, and by a clergyman of whatever persuasion, the ceremony is performed.

With this measure is combined a plan for supplying one of the innumerable *desiderata* in our legal arrangements, a registration of births and deaths. The application of the machinery of the Poor Law Unions to this purpose, is a striking example of the manner in which one well-considered reform facilitates others. Having now, by the effect of Poor Law Reform, rural districts of the convenient size for municipal purposes, and local representative bodies of a tolerably popular character (the Boards of Guardians), we trust that we shall gradually see the whole of the local business (the *administrative* business we mean, not the *judicial*) turned over to these representative bodies. But a distinction must be made, which the framers of this measure have overlooked. The Boards of Guardians are fit bodies to conduct all, or almost all, the business of local administration, but the Central Board is not the proper body to superintend it all. The Central Board has quite as much as it can do in superintending

the administration of the Poor Laws. To watch over other local business, other central boards, or central single functionaries, are requisite; the Boards of Guardians corresponding with each on the business of its own department. If everything which the local boards might conveniently do, were to be done by them under the control of the Commissioners of the Poor Laws, those Commissioners would become the Home Minister. There should be a controlling board, or a controlling officer, for every leading department of local administration, and a home minister, besides, to appoint these various officers, and hold them to a proper responsibility.

Next comes, as bearing some relation to the subject last noticed, the bill introduced to consolidate the Turnpike Trusts, and place them under a central board. No reform is more urgently required, and the principle of the measure is excellent; but its details are ill-considered. The roads are not placed, as they might advantageously be, under the superintendence of the Boards of Guardians; and the Central Board almost seems constituted in imitation of that prodigy of imbecility and jobbery the Record Commission, upon the incompetency and abuses of which, the exertions of Mr. Charles Buller and other meritorious persons are now throwing so much light. A board composed of numerous members, some of them persons of too many occupations or of too much dignity to attend to the business, becomes a mere screen for the misconduct of the one, or the two or three, individuals, into whose hands the management really falls.

We shall next advert to the Irish Corporation Reform Bill; and most satisfactory it is, that the destructive part of the bill, which in this, as in most of the reforming measures of our Ministers, is the most important part, even the House of Lords will not venture to deny to us. Not a Tory has dared to say a word in vindication of the existing corporations; and those nests of all that is sordid in jobbing, and odious in sectarian animosity, will be swept without further delay from that earth which they contaminate. We go the full length with those who assert the claim of the Irish to popular local institutions, as the most efficient of all instruments for training the people in the proper use of representative government. But this benefit ought to be afforded to the whole kingdom, and not merely to the inhabitants of a few towns. Whether or not the constructive parts of the present measure be rejected by the House of Lords, the Ministers should give notice, for next session, of a general measure for the creation of provincial representative assemblies throughout Ireland.

The Church Reform which is announced, (for the recommendations of the Church Commissioners may be considered as those of

the Ministry,) has one point of excellence, and it is a considerable one. By diminishing the number of sinecures, and increasing the restrictions on pluralities and non-residence, it renders the good things of the Church by so much less valuable to the aristocracy, and so far tends to deprive the institution of what principally upholds it in its iniquities. Other merit than this the measure has none; for the endowment of the clergy of a particular sect with national property, and with civil or political privileges denied to other sects, is intrinsically a mischief, which may be extirpated, but can scarcely be palliated; and the only inducement by which any person worthy of the name of a statesman in these times, could be induced to uphold the Church, would be the hope of unsectarianizing it. With this view the elevation of one man to a post of dignity in the Church, who was the friend and not the enemy of free inquiry, and who was known to estimate others according to the *spirit* of their religion, more than according to its dogmas, would be better entitled to the name of Church Reform than a hundred measures like the present. But this road will not be tried till it is too late.

The Tithe Bill, though liable to serious objections, which have been very forcibly stated in the 'Morning Chronicle,' is deserving of praise as an honest attempt to settle an important and most difficult practical question. In the adjustment it seems impossible to avoid doing injustice to somebody, and all that can be hoped is to render the injustice as little as possible. The average for a certain period of years, should obviously be the measure of what existing incumbents, at least, should hereafter receive. For apportioning the payments among the different estates of the parish, there are but two principles which seem possible: to assess each estate in proportion to its value, or according to the amount hitherto paid by each. Either system requires that there be somewhere a power to relieve extreme cases; and if we are not ripe for making this relief a charge prospectively upon the Church property itself, the best mode of affording it would, perhaps, be a *pro rata* assessment upon all the other estates.

Lastly, we must not overlook, among the beneficial measures in progress, (notwithstanding the niggardly half-measure with which it is attempted to satisfy us on the important subject of the newspaper stamp,) the improvements announced in our system of Taxation. Much gross inequality of pressure, bearing, as is invariably the case, hardest upon those who can least afford it, will be remedied or greatly alleviated by the general revision of the stamp laws; and some partial relief from one of the most burthensome of our monopolies, that which taxes us from a million to a million and a half a-year for the privilege of

buying bad timber from Canada instead of good from the Baltic, has been declared to be in immediate contemplation.

There are not wanting, to set against these subjects of commendation, serious grounds of complaint. The discreditable exhibition of Sir George Grey on Mr. Roebuck's motion respecting the Mauritius; the navy increased, on pretexts such as can never be wanting, and which were triumphantly exposed by Mr. Hume, (the real cause being, according to general belief, that Ministers are smitten with the epidemic disease of Russo-phobia;) the reduction of the army (and the abolition of the privileges of the Guards, so obnoxious to the army itself) resisted, in the exact tone and spirit in which all reforms used to be resisted in the old Tory times, namely, not by argument, but by insolent assumption, and denial of facts generally notorious, or resting upon official evidence. We receive these and similar things, as a salutary warning how much of the old leaven still remains in the present Cabinet, and how little can be trusted to their own inclination towards good, when not acted upon by a little friendly compulsion. That compulsion must be applied, and, moreover, must be yielded to, if they would hope to retain the support of the real reformers beyond the present session. For by the measures now in progress the budget of Whig reforms is almost exhausted; and they must either join with the Tories in resisting, or with the Radicals in carrying, improvements of a more fundamental kind than any but the latter have yet ventured to identify themselves with. Fortunately for Ministers, they have the immense field of Law Reform from which to gather a harvest of popularity; and they have had the good sense to provide for themselves, in the present Master of the Rolls, a coadjutor, whose zeal in the work will need no quickener, but will be a most salutary quickener to theirs, and of whose capacity it is sufficient here to say, that no man living is so thoroughly acquainted at once with the ends to be aimed at, and the means of attaining those ends with the least possible inconvenience.

The Radical party in Parliament has, with few exceptions, preserved its accustomed torpidity. Those who had formerly done something, have done more than usual; but those who were accustomed to do nothing, have done it still. Among the meritorious few, Mr. Hume may, as usual, be numbered; and it may be permitted to this Review to commemorate the fact, that several younger members, in whom it can claim a peculiar interest, have been active in asserting in Parliament the principles which they promulgate here. This is not, we know, anything to boast of; but were the fact otherwise, there would be disgrace.

Among the features in the present session, which ought not to

be passed without notice, is the great multitude of Private Bills—bills for authorizing the expenditure of capital on public undertakings of all sorts, but especially on internal communication. The rage for projects has taken that direction more decidedly than any other, and has reached a height which the famous bubble year, 1825, scarcely surpassed. It seems only needful for a surveyor and a parliamentary agent to lay their heads together and invent a new line of railroad, and their share list is almost immediately filled. This subject well deserves that the attention of the legislature should be bestowed upon it, more comprehensively and systematically than it has yet been.

There is no one but must wish for means of cheap and rapid conveyance from one of the great centres of commercial operations to another; and all must be satisfied that such means will, in no long period, be had. But no one can wish that lines of railroad should be more numerous than necessary; because, in the first place, it is far from desirable that this island, the most beautiful portion perhaps of the earth's surface for its size, should be levelled and torn up in a hundred unnecessary directions by those deformities; and next, because the test, the unerring test, of the usefulness of a railroad is its yielding a profit to the subscribers; a result which the undue multitude of railroads must necessarily frustrate, as to most, if not as to all of them. For example—we do not ground our opinion on any peculiar knowledge—on the face of the matter it seems absurd to suppose that both the Great Western Railway, and the London and Southampton, can pay; though it is just possible that either of them might, if the other did not exist. Nor is it desirable that the choice of a line should be determined by no better test than the judgment of an irresponsible engineer, and the parliamentary influence happened to be possessed by the private interests which expect to be benefited or injured by it. No railroad schemes ought to receive the sanction of Parliament, until, by a general survey of the country, it shall have been ascertained what are the shortest and most convenient lines for a general system of railway communication, to connect all the important points. If this were done, all railways on those lines would, sooner or later, be profitable, and their construction ought to be permitted on those lines only; the nation stipulating for as large a share of the profits as the competition of rival companies might assign to it. Then might we hope for some, though but a distant approximation to the good fortune of the States of Pennsylvania and New York, each of which will speedily defray the whole expenses of its internal government from the profits of railroads constructed at the public expense.

We must add one other consideration. In the choice of a line it is disgraceful that not one thought should be bestowed upon

the character of the natural scenery which is threatened with destruction. It is highly desirable that there should be a railway to Brighton; scarcely any one which could be constructed would be convenient to such a multitude of persons, or is likely to be so profitable to the subscribers. But of the five rival lines which have been proposed, two, if not three, and particularly Stephenson's, would, to a great degree, annihilate the peculiar beauty of a spot unrivalled in the world for the exquisiteness, combined with the accessibility, of its natural scenery: the vale of Norbury at the foot of Box Hill. Yet into the head of hardly one Member of Parliament does it appear to have come, that this consideration ought to weigh one feather, even on the question of preference among a variety of lines, in other respects probably about equal in their advantages. Yet these men have voted £11,000 of the people's money for two Correggios, and many thousands more for a building to put them in, and will hold forth by the hour about encouraging the fine arts, and refining the minds of the people by the pleasures of imagination. We see, by this contrast, what amount of real taste, real wish to cultivate in the people the capacity of enjoying beauty, or real capacity for enjoying it themselves, is concerned in this profuse expenditure of public money; although two-thirds of these men would shout in chorus against 'political economists' and 'utilitarians' for having no imagination, and despising that faculty in others. The truth is, that in this country the sense of beauty, as a national characteristic, scarcely exists. What is mistaken for it is the taste for costliness, and for whatever has a costly appearance. If the Correggios could have been had for as many pence as they cost pounds, our precious aristocracy would have scoffed at the idea of their being worth purchasing.

A.

NOTE.

IN an article on a work of Colonel Charles Napier on the Ionian Islands, in the first volume of the 'London Review,' p. 316, it is stated, 'that without any personal interest, and with no great similarity of political sentiment, Colonel Napier, at the request of several intended settlers, *applied* for the government of the new colony of South Australia;' and it was added, 'that disagreements had subsequently taken place which had prevented Colonel Napier from being intrusted with the task.' There are some errors in these passages which may mislead the reader respecting the conduct of Colonel Napier. 1. No application for the office of governor was made by Colonel Napier; he, upon the contrary, having distinctly refused to apply for it. 2. The office was *refused* by Colonel Napier on account of the Government having declined to comply with certain conditions, made by him, upon public grounds, preliminary to the execution of its duties. 3. If Colonel Napier had chosen to have consulted his own private advantage, his interest was sufficiently powerful to have enabled him to have done so. He, however, though most anxious to have accepted the appointment offered to him, never even asked the amount of the salary connected with it. The character of the remarks on Colonel Napier's work on the Ionian Islands will sufficiently show that these errors were perfectly accidental, and their correction, it is to be hoped, will destroy every inference prejudicial to the person whom they may possibly affect.—EDITOR OF THE L. AND W. R.

